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REYNOLDS HISTORICAL
GENEALOGY COLLECTION

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John Marsh

HISTORY

OF

CONTRA COSTA COUNTY,

CALIFORNIA,

INCLUDING ITS

GEOGRAPHY, GEOLOGY, TOPOGRAPHY, CLIMATOGRAPHY AND DESCRIPTION;

TOGETHER WITH

A Record of the Mexican Grants; The Bear Flag War; The Mount Diablo Coal Fields; The Early History and Settlement, compiled from the most Authentic Sources; The Names of Original Spanish and Mexican Pioneers; Full Legislative History of the County; Separate History of each Township, showing the Advance in Population and Agriculture;

ALSO,

Incidents of Pioneer Life; and Biographical Sketches

OF EARLY AND PROMINENT SETTLERS AND REPRESENTATIVE MEN;

AND OF ITS

TOWNS, VILLAGES, CHURCHES, SECRET SOCIETIES, Etc.

ILLUSTRATED.

San Francisco:
W. A. SLOCUM & CO., PUBLISHERS.
1882.

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PREFACE.

Nearly twelve months ago the task of compiling the History of Contra Costa County was undertaken by us, but, owing to circumstances over which we had no control, it was not until the month of January, 1882, that operations were fully inaugurated. At length we are enabled to give our labors to our patrons and the public.

The collecting and collating of notes has been no ordinary task; great distances have been compassed to secure personal knowledge; musty volumes have been exhumed, wherefrom to gain incontrovertible data. For the most part, we have received courteous aid; not unseldom have we been rebuffed, but only from those whose knowledge of the world is confined to the limited extent of their own vision.

Our chapter on the Bear Flag war is from the pen of Mr. Munro-Fraser, and was compiled in 1879 by him, for the History of Sonoma County, and will be found to be not the least interesting portion of the present volume.

We will not, however, attempt to "puff" our work, knowing full well that what we undertook to do we have conscientiously striven to carry out. As a worthy chronicle of Contra Costa county, we hope it may be found interesting, and in the main correct; while, as a work of reference, we trust it may meet nearly all expectations.

In conclusion, we beg to tender our earnest thanks to Hon. Elam Brown, for much valuable information in regard to the early history of the county. The like acknowledgment we proffer to Hon. Thomas A. Brown, Superior Judge, and Hon. F. M. Warmcastle, the first County Judge of Contra Costa. To L. C. Wittenmyer, the able and courteous County Clerk, and to the county officials, one and all, we owe a debt

of gratitude, as we do also to the proprietors of the *Contra Costa Gazette*, *Contra Costa News* and *Weekly Antioch Ledger*. Especially are our thanks due to that venerable pioneer, Rev. W. W. Smith, of Antioch, who most kindly placed his voluminous notes and interesting diary at our disposal, while the kindly act of Thomas A. McMahon, County Surveyor, in furnishing the chapter on the Mount Diablo Coal Fields, deserves our unqualified thanks.

We are not gifted with the pen of an Irving or a Macaulay, but such as our capabilities are, thus do we give them.

It has been no fault of ours, that several portraits, which should have appeared in the volume, have been omitted. The blame is with the gentlemen themselves. The same is also to be said of such biographical sketches as are left out. No responsibility on this head rests with us. To those who have met us with cordiality, and thus furthered our enterprise, we say, thank you, and *adieu*.

W. A. SLOCUM & CO.
J. P. MUNRO-FRASER, *Historian*.

SAN FRANCISCO, August 15, 1882.

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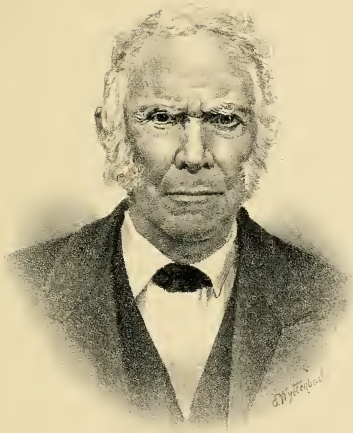
History of Contra Costa County.



Clara Brown

HISTORY OF CONTRA COSTA COUNTY,

CALIFORNIA.

Geography—Population—Area—Derivation of Name—Geology—Mineralogy—Contra Costa Hills—Monte Diablo Group—Topography—Mount Diablo—Climatography—General Remarks—Agriculture—Pomology—Earthquakes—Aborigines.

CONTRA COSTA COUNTY is bounded on the north by the Bays of San Pablo and Suisun, the Straits of Carquinez and San Joaquin River; on the south by Alameda County; on the east by San Joaquin County, and on the west by Alameda County and the Bay of San Francisco.

By a reference to a map of the State of California, the immense advantages of location which the county possesses will be immediately made apparent. Its geographical position is as near as may be about the center of the coast line of the State, while on a portion of its western front is the world-famous Bay of San Francisco, and on its north the commodious San Pablo and Suisun Bays. On the opposite shore of the Straits of Carquinez lies the town of Benicia, at last springing into prominence, for here the great overland line of the Central Pacific Railroad crosses to the shores of our county, whence, being landed at the thriving shipping point of Port Costa, it finds its way to the metropolis of the Pacific. The main overland southern route, too, passes through the county, while new lines are being now graded, still further to tap its internal resources.

AREA.—The area of Contra Costa County is embraced in four hundred and ninety square miles of hill and mountain, one hundred and fifty of valley, and one hundred and ten of tule or marsh lands lying along the shores of the Bays and on the margin of the San Joaquin River, in the north-east portion of the county, making a total of seven hundred and fifty square miles, thus placing Contra Costa in the position of being in point of size, the forty-third in the State.

It embraces all of the various lands suitable for the production of fruits, cereals, or vegetables, and the raising of stock, while its many beautiful vales are the paradise of the agriculturist, viticulturist, and pomologist.

Derivation of Name.—The origin of the name which the county bears, was described in a report made to the Senate, under date April 16, 1850, by General Mariano Guadalupe Vallejo, then Senator from the District of Sonoma, entitled: "Report of Mr. Vallejo on the Derivation and Definition of the Names of the several Counties of California." In that report, unequaled in its style, and in the amount of information crowded into a small compass, he says of Contra Costa: "The name signifies 'Opposite Coast,' and the country is so called from its situation opposite San Francisco, in an easterly direction. It is undoubtedly one of the most fertile counties in the State, possessing rich agricultural lands, which embrace an interior coast of thirty leagues, extending in the Bays of Santa Clara, San Francisco, San Pablo, the Straits of Carquinez, the Bay of Suisun, and the San Joaquin River; a circumstance which, united to its mild climate, will render it very important."

Population.

	1860.	1870.	1880.
California	379,994	560,247	865,747
Contra Costa County		8,461	12,257
Township No. 1	No record.	No record.	3,125
" " 2			2,527
" " 3			1,681
" " 4			1,960
" " 5			2,964

Geology and Mineralogy.—There is perhaps no subject in the whole range of scientific research so fraught with interest and so sure to yield a rich harvest to the investigator as the study of the earth's crust, its formations and upbuilding. In this the careful student and close observer sees more to prove the assertion that "in the beginning God created the heavens and the earth," than can be found on any written page. Indeed, it may well be called a written page—a tablet of stone on which the finger of God has written, in letters of life and death, the history of the world from the time when the earth was "without form and void," until the present day. What a wonderful scroll is it which, to him who comprehends, unfolds the story of the ages long since buried in the deep and forgotten past! In wonder and amazement he reads the opening chapters, which reveal to his astonished gaze the formation of the igneous bed-rock or foundation crust on which, and of which, all the superstructure must be built. The formless and void matter is slowly crystallizing into that peculiarly organized tri-

partite mass known now as granite, than which there is no more curiously formed thing on earth, and none could be better adapted for foundation purposes than this adamantine stone. Silica, spar and mica, three independent substances, all crystallizing freely and separately, each after the manner and under the laws which govern its special formation, are so indissolubly united in one mass, that the action of the elements for centuries is scarcely perceptible, and the corrosive tooth of time makes but a print upon its polished surface during ages.

From this page we turn to the one above it, for be it known that the geological book is arranged so that its primary pages come at the bottom. Here is found incipient life, in the form of trilobites, polyps, various classes of mollusks, together with worms and crustaceans. Near the close of the page there is found the record of fish also. All through the page is found descriptions of the primal vegetable life which existed on the earth in the shape of sea-weed and algæ. The entire face of the earth was then covered with water, for this was before the decree had gone forth which said, "Let the waters under the heavens be gathered together into one place, and let the dry land appear." What an era of storms and tempests that must have been! No continents nor even islands against which the angry waves could dash in their mad fury. What tides there must have been! But all this great commotion was necessary, for enough of the great granite body had to be dissolved and eroded to form a body of matter several hundred feet in thickness in the lowest places.

Another page is turned to view, and here is to be read the fact that the sea was full to overflowing with fish. And now the dry land had appeared, "and the earth brought forth grass." Here was the beginning of vegetable life in the world, other than which grew in the sea. Animal life has now advanced to the vertebratæ, and vegetable life has been ushered into the world. Great earthquakes now begin to occur, and mountain ranges are formed. Storm and tempest range much as in the last age, and erosion is going on rapidly, and *detritus* is forming layer after layer of the rocks now classified as belonging to this geological period. What cycles of time, as measured by man's chronology, transpired during this age, no one can tell, yet to man, if it could be told to him, it would seem to be not a time, but an eternity.

The unfolding of the next page reveals to man the most useful as well as wonderful epoch in the upbuilding of the earth's superstructure. It is now that the great coal fields are formed, from which man, in the due fullness of time, is permitted to draw his supplies for fuel for all purposes. How wonderfully is the munificence and wisdom of God exemplified in this one age in the world's formation! Quite large areas of land have now been elevated above the surface of the raging Devonian sea. The native heat of the earth radiating continuously, expanded the water into vast

volumes of mist, which floated upward till it came in contact with the cooler stratas of air, when it was precipitated to the earth in grand old thunder showers. The atmosphere was charged with heat, and burdened with moisture and carbonic acid. These were conditions most favorable for the development of a gigantic and profuse growth of vegetation, and the surface of the earth was covered with such a forest as the mind of man cannot conceive. Centuries rolled by, and at last large masses of these trees had grown up, fallen down and formed themselves into interminable and impenetrable jungles. Then the continents began to exchange places with the seas, and water covered the great forests so lately in the full flush of their exotic pride. Then the silt and sand formed great bodies of shales and slate-stone upon the top of the forest, and the weight of the body of rock and earth pressed it till it formed into the mass we now find it, and the process of solidification occurred, and stone coal was the result. In accordance with the laws of correlation and conservation of forces, the great coal beds are only immense reservoirs of heat in a latent state, only awaiting the proper conditions for development and application to the uses and advantages of the human family. Could a man have seen the process of coal-making going on, away back in the almost twilight of the early dawn of the earth's existence, he would naturally have asked: To what use can that brittle, black material ever be put? Too fragile for building purposes, and too hard and sterile for agricultural economies, and yet evidently designed by the All-wise Creator for some beneficent purpose. But to-day the answer is written on every hand in letters of living light. The sunbeam, charged with heat, comes from the bosom of that great source of light and heat, and assimilates itself with the great body of heat and vegetation, then everywhere so rife. Ages roll on, and that sunbeam and its brothers of that day, have long since been forgotten. The fullness of time has now come, and a race of beings inhabit the earth which existed only in the will and mind of the Infinite One at the time of the upbuilding of these great coal measures. These creatures are called men, and they are delving far down into the deep recesses of the earth. For what are they searching amid the dark chambers and along the gloomy passages which they have burrowed out in the bosom of the earth? We follow and find them with pick and drill dislodging a heavy black substance, and sending it in cars to the surface of the ground. We follow it as it passes from hand to hand. Do you see that happy household band gathered around the cheerful hearth, while without the storm-king rages with all the fury of a demon? Hark! Do you hear the clank and whir of machinery which comes from those buildings, affording employment for hundreds of needy men and women, keeping the wolf from the door, and even making them happy? Do you see that train of cars speeding over hill, through valley and across plain, bearing with it a host of people, hurrying to and from their avocations of life? Do you

see the mighty steamer which plows the ocean's crested main from port to port, from land to land, bearing the wonderful burdens of commerce in its capacious maw? Yes, you see them all. You hear the pulse and throb of the mighty engine which drives all these wonders on to success, and which is so conducive to man's happiness and best good. But, did you ever pause to think that, ere time was, almost, the agent which was destined to perform all these marvels was garnered away in God's great store-houses—the coal fields, and that to-day we are reaping the full fruition of all these centuries. How grand the theme! How the heart should echo in His praise for His wonderful goodness to the generations of men!

The next page upwards reveals to us the fact that reptiles, frogs and birds came into existence, or rather, that the two former developed into the full vigor of their generation, while the latter was introduced for the first time upon the scene of action. It is not our purpose here to make any close inquiries into the origin of animal life, and shall use the word developed in relation to the introduction of a new series of animal life, as being eminently proper, but not as having any reference to the Darwinian idea of development, although the day has already dawned when the human race will accept the truths of that theory, let them be ever so contradictory to what is now taught. For our purpose one theory is as good as another. The fact is that in the carboniferous or coal period, there are no traces of birds at all; and in the next age we find their foot-prints on the sandstone formations. Whence they came we know not nor do we care. They were of gigantic stature evidently, for their tracks often measured eighteen inches long, and their stride ranged from three to five feet! Another phase of animal life was developed in this age, and that was the mammal, which was an insect eating marsupial.

Another page is laid open for our perusal, and on it we read that the race of reptiles reached their culmination in this age, holding undisputed sway over land and sea, and in the air. They were very numerous, and their forms exceedingly varied and strange, and their size in many cases gigantic. Some kinds, like the pliosaurus, plesiosaurus, and ichthyosaurus, were sea saurians, from ten to forty feet in length; others were more like lizards and crocodiles; others, like the megalosaurus and igiranodon, were dinosaurs from thirty to sixty feet in length; others, like the pterodactylus, were flying saurians, and others turtles. The megalosaurus was a land saurian, and was carnivorous. This is the first land animal of which there is any record, which subsisted on the flesh of other animals. The pterodactyl was one of the most wonderful animals which ever existed on the face of the earth. It had a body like a mammal, wings like a bat, and the jaws and teeth of a crocodile. It was only about one foot long.

The next page does not reveal any very marked changes from the last. The same gigantic reptiles are in existence, but on the wane, and finally

become extinct during this era. The vertebrates make a great stride forward towards their present condition, while all the leading order of fishes are developed just as they exist to-day. Up to this time the fish had not been of the bony kind, but now that peculiarity is developed.

We have now perused the great book of Nature until we have come up to those pages, which are everywhere present on the surface of the earth. Figuratively, we may consider this page divided into three sections; the first or lower of which contains nothing in common with the present age, all life of that day having long since become extinct. The second section contains fossils more nearly related to the present time, from ten to forty per cent. being identical with the living species. In the third section the percentage of similar species runs from fifty to ninety. The continents of the world had assumed very nearly the same shape and outline which they maintain at the present time. Sharks reached the height of their glory in this age, while the reptiles assumed their true form of snakes, crocodiles and turtles. For the first time in the history of the world is there any record of snakes, and how far they preceded man will remain for the reader to determine from what follows further on. Birds were the same as at the present time, so far as they went. The mammals of this age are the chief objects of interest, not only on account of their great number and the extended variety of forms under which they appear, but especially because this period marks the time of the introduction of the true mammals on the earth. The sea and estuaries, though rich in animal life, no longer furnish the most prominent representatives of the animal kingdom; but in this period the mammals assume the first rank. But it must be here stated that some of these species lived beyond the close of this age. These animals inhabited the upper Missouri section in great quantities, and comprised the moose, rhinoceros, a species similar to the horse, tapir, peccary, camel, deer, hyena, dog, panther, beaver, porcupine, musk deer, deer, mastodon, wolf and fox. How like a dream it seems that these precursors of the present races of mammals should all be swept out of existence; still, when we come to know what climatic changes occurred at the close of this period we will not wonder any longer. Not only were the "fountains of the great deep broken up and the rains descended," but the continent sank deep below its present surface, and a great sea of ice from the north swept over its face, bearing death and destruction to all living creatures in its path. This was the glacial period, and its results are written on the next page.

This page reveals a wonderful mystery! The throes of death were the travails of birth, and that condition of things which swept from the face of the earth an entire animal kingdom, paved the way for the existence of a higher and fuller life, even man himself. Hitherto the earth had been in a process of incubation, as it were—"the spirit of the Lord had brooded over

the earth," and this was the finality to it all. This was the long winter of death which preceded the spring of life. This is known as the drift or boulder period, and its phenomena are spread out before us over North America. The drift consists of materials derived from all the previous formations, and comprise all stages from the finest sand to boulders and fragments of rock of gigantic size. When the vast sea of ice came crushing down from the far away home of old Boreas an inestimable quantity of rock was caught in its giant clutch and ground to powder. Others were rolled and polished till they were as smooth as glass, while others were fastened into the body of ice, and carried along miles and leagues from their native ledges. Throughout the Mississippi valley are numerous granite boulders, but no known ledge of it exists nearer than the northern lakes. As soon as the continents had risen from their depressed condition and the icy era had subsided, wonderful to relate, life sprang into existence in a fuller and stronger condition than ever before. The vegetable and animal life of this age was the same as to-day, except the mammals, which, strange to say, passed away almost entirely at the end of that era. The elephant during that period was about one-third larger than the present species, and near the close of the last century one of these monster animals was found imbedded in the ice on the coast of Siberia in such a state of preservation that the dogs ate its flesh. Among the many pictures which this fertile subject calls up none is more curious than that presented by the cavern deposits of this era. We may close our survey of this period with the exploration of one of these strange repositories; and may select Kent's Hole at Torquay, Devonshire, England, so carefully excavated and illuminated with the magnesium light of scientific inquiry by Mr. Pengelly and a committee of the British Association. In this cave there are a series of deposits in which there are bones and other evidences of its habitation both by animals and men. The lowest stratum is comprised of a mass of broken and rounded stones, with hard red clay in the interstices. In this mass are numerous bones, all of the cave bear. The next stratum is composed of stalagmites, and is three feet in thickness, and also contains the bones of this bear. The existence of man is inferred at this time from the presence of a single flint-flake and a single flint chip. Water seems to have now flooded the cave, and the next stratum is composed of stones, clay and *débris*, such as would naturally be deposited by water. But the strangest part of it is, that this flood stratum is rich in relics of its former inhabitants, yielding large quantities of teeth and bones of the elephant, rhinoceros, horse, hyena, cave bear, reindeer and Irish elk. With these were found weapons of chipped flint, and harpoons, needles and bodkins of bone, precisely similar to those of the North American Indians. This stratum is four feet in thickness, and in one spot near the top there is a layer of charcoal and burnt wood, with remains which go to show that human beings had

been there, and prepared their food by cooking it, and it also proves that the knowledge and use of fire was known far down into the early dawn of man's existence on earth. It is to be borne in mind that this is all anterior to the present state of affairs, and that all the animals mentioned as contemporaneous with these primitive men have long since passed out of existence, and may not the race of men to which those people belonged have passed away also, and another race sprung up in their stead, the same as other races of animals have developed to supply the place of those passed away! These are questions worthy more then a hasty glance. Another layer of stalagmite now appears to have been formed, in which are bones, having the same characteristics as those mentioned above, only the jaw-bone of a man with the teeth in it was found. Now a wonderful change occurs. The next stratum is black mould, and is from three to ten inches thick, but in it are found only evidences of modern times, both in the relics of man and beast. The bones of the animals are of the orders which exist at the present time, and the relics of men extend from the old Briton tribes before the Roman invasion up to the porter bottles, and dropped half-pence of yesterday's visitors. How long a time transpired between the last visit of the first race of men who knew this cavern, and the first visit of the old Britons is hard to even guess. That it was many ages none will dare to question.

We now come to the last page of the great geological book which records the present era of the world's history, which is pre-eminently the age of man. That man existed previous to the present order of things, there can be no question, but it remained for this period to fully develop him in all his glories and powers. The dark night of winter with its snows and ice, before whose destructive and frigid breath all things which had lived on the earth had perished, including primitive man, had passed away, and the whole face of the earth was smiling and rejoicing in the spring-time of its new existence. The seasons were fully established, and summer's suns and winter's ice assumed their appropriate offices in the grand economy of the earth. The seed time of spring and the harvest time of autumn followed each other through the cycles of centuries with never a change. The earth was all virgin soil and very rich and productive. The air was fresh, bracing, and free from all poisonous exhalations. All nature was complete. Animal life had again covered the world, and all was ready for the crowning effort of Nature—man. Far away in Western Asia there was a land favored far above all the countries of the earth; so much so, that it could truly be called a paradise. It was a table-land, at the head waters of the rivers that flow into the Euxine and Caspian seas, and the Persian gulf. Its climate was healthful and bracing, with enough of variety to secure vigor, and not so inclement as to exact any artificial provision for clothing or shelter. Its flora afforded an abundance of edible fruits to sustain life

and was rich in all the more beautiful forms of plant life, while its clear streams, alluvial soil, and undulating surface, afforded a variety of beautiful scenery, and all that would go to make up the *sine qua non* of human existence. It was not infested with the more powerful and predaceous quadrupeds, and the animals which did inhabit the region had nothing to fear, for man was originally purely vegetarian in his diet, and in this paradise he found ample supplies of wholesome food. His requirements for shelter were met by weaving bowers of the overhanging trees. The streams furnished gold for ornament, shells for vessels, and agate for his few and simple cutting instruments. Such was man's estate in the first days of his existence; but the eternal laws of progression soon forced him out of his primitive bowers into huts, and thence into houses and palaces, and the end of that progression is not yet. And the human race has a future before which, if it could be seen and comprehended at one glance, would cause the heart of man to stand still in wonder and amazement.

We will now pass to a consideration of the geological formation of Contra Costa County, as is to be found in Professor Whitney's Geological Survey of California.

Contra Costa Hills.—The subordinate group of elevations lying west of Martinez and the San Ramon and Livermore valleys, is known as the Contra Costa Hills; they extend through the county of that name into Alameda and Santa Clara Counties, and finally become merged in the Mount Hamilton Division of the Monte Diablo Range. These hills are separated from the principal mountain mass of Monte Diablo by a system of valleys extending for about forty-five miles, and preserve a somewhat distinctive character for some fifteen miles farther, losing their identity entirely about the head of Calaveras valley. They are made up of tertiary and cretaceous strata, usually but little metamorphosed, although a belt extending along their western side is considerably altered from its original character.

Beginning at the northwest extremity of the group, at Martinez, we have in the immediate vicinity of that place cretaceous strata, well exposed in the bluffs along the Straits of Carquinez. Here the rocks observed are sandstones, shales, and argillaceous limestones, the latter forming bands and lenticular masses in the shales, generally but a few inches thick, although sometimes as much as three feet. Their strike is usually about N. 42° W., varying, however, from N. 39° W. to N. 44° W., and they dip southwest at an angle of from 35° to 60°.

The rocks near Martinez have furnished a large number of species of cretaceous fossils of both divisions.

In passing along the shore of the Straits of Carquinez, west of Martinez, the cretaceous strata occur for about seven miles, and are made up of shales

and sandstones, the former containing frequent thin layers of hydraulic limestone. These rocks, however, exhibit but few fossils. The dip and strike are variable, but generally about east and west magnetic, and the dip is also irregular, but almost always to the southwest, and at almost every angle from nearly horizontal to vertical; the strike is nearly parallel with the line of the Straits. Near the upper limit of the cretaceous, are sandstones very like those of Monte Diablo which accompany the coal, and they contain a considerable quantity of carbonaceous matter, but no regular coal-bed, so far as yet discovered. Near these carbonaceous strata, and above them, is a narrow belt, partly altered and folded, and from one hundred and fifty to two hundred feet in width. The Rodeo valley marks the limit of the cretaceous, going west from Martinez, the tertiary succeeding in that direction, and resting conformably on the strata beneath, and having the same general southwestern dip. South of Martinez the cretaceous strata have a higher dip, but in the same direction.

Southwest of the Rodeo valley lies a broad belt of tertiary rocks, which extends from San Pablo bay to Amador valley, forming the mass of the Contra Costa hills, for a distance of about thirty-five miles northwest and southeast, and having a breadth of from six to eight miles. The rocks are chiefly sandstones, and in places highly fossiliferous. San Pablo creek heads in this belt, and flows between two parallel ridges, in the line of the strike of the rocks. On the west side of the creek, about four miles a little south of east from San Pablo, the rocks contain considerable bituminous matter, and a well had been bored here in 1862 to the depth of eighty-seven feet, at which point oil was struck, which it was proposed to purify by distillation, and works were erected for this purpose, as also to obtain oil from the highly saturated sandstone.* At these springs the rock has a high dip northeast; but farther northwest it dips to the southwest, while the hills in the vicinity are too deeply covered by soil and decomposed rock to admit of the general position of the strata being determined satisfactorily.

To the north of San Pablo are low hills of very recent strata, which are nearly horizontal and which rest uncomformably on the edges of the Tertiary. Whether these beds contain any extinct species of shells has not yet been determined; at all events, they are no older than the Post Pliocene.

In the valleys between San Pablo and Walnut creeks, many sections made by the rains of 1861–62 in the superficial detritus are observed. The beds are horizontally stratified, and made up of light and darker-colored materials, the lighter ones being darker near their upper surfaces, and growing lighter downwards to the depth of from six to twelve inches, as beds usually do when acquiring a color from decaying vegetable substances.

*The quantity of oil obtained seems to have been too small to pay, as the work was not profitable, and had been discontinued previous to the oil excitement of 1865; whether resumed between that time and the present, 1882, we have been unable to discover.

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This would indicate that the rate of deposition of this detritus has been exceedingly irregular, long periods having sometimes elapsed without much addition to the detrital deposits, and then, again, a heavy mass of materials being suddenly spread over the surface, just as takes place at present during a Winter of extraordinary storms, like those of 1861–62. The appearances indicate sometimes a heavy deposit during one year only; at others, a succession of them for several years. The same or similar facts are observed at many points in the Coast Ranges.

The whole range under consideration is denuded into a great number of hills and valleys, the latter running parallel with the strike of the strata. The valleys are excavated in the softer materials, and are frequently drained by streams running in two opposite directions, which connect at their sources by very low divides, so that one hardly recognizes the fact that he is passing over them. When streams cut across the strike of the strata, as they occasionally do, the valleys become mere canoñs, or narrow rocky defiles.

To the southeast of Martinez there is a good exhibition of the folding of the strata exhibiting in synclinal axis, which runs from a point one mile north of Pacheco, southwest to the Cañada del Hambre, a distance of about four miles.

Walnut creek (Arroyo de las Nueces) heads in the divide between the valley of this name and that of the San Ramon; it separates the Contra Costa hills from the Monte Diablo group proper. High hills of Tertiary sandstone rise to the west of it, attaining an altitude of from eighteen hundred to two thousand feet. The high group of hills north of the head of the San Ramon is also of sandstone, and has about the same elevation. The strike of the strata here is about N. 50° W. to N. 55° W., and the dip 65°, to the southwest. The San Ramon, heading in this group of hills, runs southeast, then turns and runs parallel with its former course in the opposite direction, having a high and steep range of fossiliferous sandstones between the two parallel portions.

The foot-hills along the eastern base of these higher ridges are of strata very much broken, with every possible dip and strike, the latter frequently at right angles to that of the strata in the main ridge, and standing vertical. There are indications of a line of quite recent disturbances of the rocks through the San Ramon and El Hambre creeks, which line crosses the general direction of the stratification at an angle of 35°. There are fissures in the soil along the west side of the San Ramon valley, which were formed during the earthquake of June, 1861, and which may be considered as strengthening the probability of the recent formation of this valley. That extensive disturbances have taken place in the Monte Diablo chain within the most recent geological epoch will be seen farther on.

Near the head-waters of the San Ramon, the hills of Tertiary sandstone rise to the height of about two thousand feet; the strata having a

strike of about N. 39° to 41° W. and they have a high dip to the southwest. The same strata, as followed along a few miles farther to the northwest, near Moraga valley, become more nearly vertical, and the strike curves around more to the west. The same belt of rocks extends southeast from the head of the San Ramon, through the range of hills west of Amador valley, and they have a lower and more uniform northwesterly dip. These hills sink into the plain near the eastern end of the pass leading from Haywards to Amador valley.

Near the "Walnut Creek House," a small patch of cretaceous occurs, extending over a few acres, from which the overlying Tertiary, forming the crown of a low anticlinal, has been denuded.

A belt of metamorphic rock may be traced along the western side of the Contra Costa hills, beginning near San Pablo, thence following the west side of Wild Cat creek, and appearing in a southeast direction along the foothills of the range, for a distance of about thirty-five miles. It generally forms a narrow belt, not over two miles wide, and often not half that; but in some places there is more or less metamorphic action observable over a width of four miles. The northwestern portion of this band of altered rock curves to the northwest, and seems to form the isolated metamorphic hills lying near the Bay, and west of San Pablo and islands of similar rock in the Bay, apparently connecting with the range of high hills which run out at Point San Pedro and extend back of San Rafael.

Near San Pablo a great variety of the results of metamorphic action may be observed; as, for instance, in following a line extending from the house of V. Castro back to the top of the ridge. The original rock seems to have been a more or less bituminous slate or shale, and patches of it have almost entirely escaped metamorphism, while others in the immediate vicinity are very much altered and converted even into mica slate. The dip of the strata, when it could be made out, was to the northeast, 30° at the base of the hill, and gradually getting higher towards the crest of the ridge, where the metamorphism is most complete. Here the rock is traversed by small quartz veins, and has evidently been acted on by water containing silica in solution, as it is, to a large extent, converted into that mixture of ferruginous, jaspery and chalcedonic material, which is so well known as frequently containing cinnabar, that we have become accustomed to call it the "quicksilver rock." Considerable masses of actinolite have been found lying on the surface in this vicinity, evidently derived from the rocks of this ridge. The specimens resemble exactly those obtained from the very much older metamorphic rocks of New England.

The widest and highest portion of this metamorphic belt lies near the pass leading from Oakland to Lafayette, the summit of which is thirteen hundred and eleven feet above high tide. About a hundred rods west of the summit metamorphic slates stand vertical, having a close lithological

resemblance to rocks elsewhere known to belong to the cretaceous system ; a short distance northwest they have a high dip to the northeast. A sharp ridge, half a mile in a direction N. 32° W. from the Summit House, is of hard metamorphic sandstone, of which the strike is N. 64° W., but curving more to the south as we go southward ; the dip is to the northeast, about 70° in amount. Hand specimens of this rock have a very Trappean look, but they appear to be of metamorphic origin.

About one mile farther north is the highest point north of the pass; called "Rocky Mound;" it is nineteen hundred and twenty-one feet high, forming a rounded hill, having a distinct stratification, although very Trappean in its appearance, and a dip to the northeast. Between this point and the ridge spoken of in the last paragraph, there is a mass of Trappean rock, finely crystalline and very hard, in which no planes of stratification can be observed. On the northeast of San Pablo, the unaltered strata rest on these metamorphic rocks and dip northeast.

The ridge between Wild Cat and San Pablo creeks is made up of strata dipping northeast from 30° to 35°, and having a strike of about N. 52° W. The north end of this ridge is of quite unaltered strata, while the southern portion is highly metamorphosed.

On the east side of Carlisle creek, a metamorphic limestone occurs, in which all traces of stratification have been obliterated, the mass of the rock being traversed by veins of quartz, resembling semi-opal in appearance.

South of the pass from Oakland to Lafayette, several high dome-shaped hills rise, having an elevation of about eighteen hundred and fifty feet, made up of highly metamorphic rock having a Trappean aspect, but stratified and dipping northeast. Intruded in this are masses of rock which appear to be of decidedly eruptive origin, as the metamorphic strata are displaced in their vicinity. Here, as in many other localities in California, it is difficult to draw the line between eruptive and sedimentary, as both have undergone extensive metamorphism since their formation.

A short distance south of the pass the metamorphic strata suddenly contract to about one and a half miles in width, an arm of unaltered sandstone and slates extending up between two branches of the metamorphic. In this region the slates are little metamorphosed, appearing white and easily decomposed, although much contorted. Portions are highly silicious, but soft and fiable, and, under the name of "Kaolin," are used to mix with clay in making pottery at San Antonio. This belt of slates and shales may be traced southeast as far as Suñol valley, beneath which they dip, rising again probably and appearing in a highly metamorphic form in the mass of the Mount Hamilton group. In the places where they are not metamorphic they have all the lithological character of the strata known to be of Cretaceous age, which have been described as occurring near Martinez, and which will be noticed farther on as so well developed near Monte Diablo.

Lying to the west of this are massive sandstones, entirely unaltered, which as yet have furnished no fossils, but which are believed to be of Cretaceous age. They form an elevated ridge, of which a culminating point is Redwood peak, sixteen hundred and thirty-five feet above the level of the bay. The strike of these sandstones at this point is about N. 69° W., but they curve more to the south on the southeastern side of the ridge. Their usual dip is to the northeast, but near Redwood point the strata are much broken, and three miles southeast they sometimes stand vertically or have a very high dip to the northeast.

Beneath this mass of sandstones, and extending to the southwest, there is a body of coarse conglomerate, forming a series of ridges of considerable altitude. Northeast of San Leandro it appears in the range of hills forming the eastern boundary of the San Antonio Ranch. Ten or twelve miles farther to the southeast it appears in Suñol peak, which rises to an elevation of over two thousand feet, on the southeast side of which it dips to the southwest. It passes through the Suñol valley and becomes a portion of the great metamorphic belt of the Mount Hamilton Range.

Although no fossils have been found in place in the belt of slates and shales alluded to above as exhibiting so well marked a resemblance to rocks elsewhere determined to be of cretaceous age, yet a few boulders have been picked up which contained shells undoubtedly of this epoch. A more careful search will hardly fail to furnish some farther evidence on this point. One of these boulders was found near the entrance of Suñol valley, in a locality where it is hardly possible that it should have come from any other belt of rocks than that indicated above.

The metamorphic band before alluded to, as beginning near San Pablo, after narrowing near Redwood peak, extends along the western slope of the hills, forming the lower ridges at their base. It does not, however, form a well defined belt parallel with the strike of the strata, nor does it appear to represent an axis of elevation. In a section examined from San Leandro across the summit of Monte Diablo, it was seen conformably underlying the conglomerates and sandstones before spoken of; but farther south its relations to the adjacent rocks become very obscure, owing to the almost entire obliteration of the lines of stratification consequent on the increased metamorphism of the mass. As observed in the foot-hills of the range between San Antonio and Alameda creek, this metamorphic belt has all the characters which are so often exhibited by the altered cretaceous rocks. Serpentine is abundant in it in large irregular masses, and jaspery slates like those of Monte Diablo. East of San Antonio large patches are to be seen, having all the characters of the quicksilver bearing rock of New Almaden and New Idria, exactly like those noticed as occurring near San Pablo. Considerable masses of chromic iron occur in this position, one of which was formerly worked to some extent. Stains of copper are not unfrequent, and have led

to several attempts at mining, none of which have proved successful, or are likely to repay the labor and capital invested.

In the neighborhood of Alameda Cañon this metamorphic belt appears to be almost lost; but traces of chemical action, commenced and partially completed, are exhibited in narrow streaks visible among the highly inclined and broken strata; these, however, do not appear to connect through with the metamorphic mass of Mount Hamilton.

Monte Diablo Group.—Monte Diablo itself is one of the most conspicuous and best known landmarks in California. But few persons in the State can have failed to recognize it from some point either of the Coast Ranges or of the Sierra Nevada. It is not its great elevation which has given it its pre-eminence among the innumerable peaks of the Coast Ranges; it is just the height of Mount Bache near New Almaden, a point hardly known by name to those who have not made a special study of the geography of California, and it is overtopped by Mount Hamilton, San Carlos, and some nameless peaks to which no public attention has ever been attracted. The reason why Monte Diablo has so marked a pre-eminence among the peaks of the Coast Ranges is, that it is, comparatively speaking, quite isolated, especially on the northwest, north, and northeast, the directions from which it is most likely to be seen. To the traveler passing up Suisun bay and the Sacramento or San Joaquin rivers, it presents itself in all its symmetry and grandeur, rising directly from the level of the sea, and easily recognizable from a great distance by its double summit and regular conical outline, resembling that of a volcano, which it was generally supposed to be by the early settlers.

If the mountain is made such a conspicuous landmark by its isolated position, it becomes itself, in turn, a point from which a vast area of the State may be observed and studied. Rising as it does among the Coast Ranges, there may be traced from its summit from Mount Hamilton on the south to unnamed peaks in the vicinity of Clear Lake on the north, and from the plains of the Sacramento and the San Joaquin to the Pacific, east and west. The great interior valley of California lies spread out like a map, extending as far as the eye can reach. To the east the view seems illimitable, and it is believed that there are few, if any, points on the earth's surface from which so extensive an area may be seen as from Monte Diablo. This is due to the peculiar form of the Great Valley of California and the gradual rise of the Sierra, which brings higher and higher points to view as the distance becomes greater. The eye can range over an extent of four hundred miles from north to south, and back to the east, or towards the summit of the Sierra, as far as the crest of this range, the farthest northern point visible being Lassen's Butte, and the most extreme southernsome point near Owen's Lake probably, thus affording a range along this snow-crested

line of mountains of over three hundred miles in length. The whole area thus spread out before the eye can hardly be less than forty thousand square miles, not much less than that of the whole State of New York.

In describing the geology of Monte Diablo and its surroundings, it will be convenient to begin with the central mass of the mountain itself as a starting point. This central mass is made up of metamorphic rocks; it is about six miles long, and one and a half miles in width, and is surrounded on all sides by entirely unmetamorphosed strata. It is of an irregular crescent form, the concave side turned to the north-northeast. The material of which it is composed is extremely variable in its lithological character; but it consists essentially of a central portion of very hard metamorphic sandstone, containing considerable epidote, flanked on both sides by jaspers, silicified shales and slates. The former constitutes the north peak, the latter the main peak, or Monte Diablo itself. The central crescent-shaped mass of altered sandstone commences on the northeast, about a mile and a half in that direction from the north peak, sweeps around to the south and passes with its southern limit about a quarter of a mile north of the main peak, then bends around to the north so as to include the precipitous spur which runs off to the northwest, lying to the east of the head of Mitchell's creek, and to the highest point of which has been given the name of Eagle Point; this is two thousand three hundred and ninety-three feet above the Bay. Extending still farther to the northwest, it crosses the creek, and forms the high north and south ridge which makes up the most northwesterly portion of the mountain mass. The southern extremity of this ridge is named Black Point; the northern, Pyramid Hill; the former is about eighteen hundred feet in elevation, the other a little less. The rocks of this ridge are, in part, an exceedingly dark-colored, fine-grained, crystalline material, destitute of traces of stratification in the central portion of the mass; but which appears to be a metamorphic sandstone, although at first sight it might be taken for an eruptive rock. Its relations to the surrounding rocks indicate rather a metamorphic than an eruptive origin. It would be difficult to consider this part of the mountain as being of purely igneous origin, without including with it the rest of the crescentic mass, which, however, we know from its connection with the adjacent sedimentary strata, and from the fact that portions of it have partially escaped the metamorphic action, to be made up of detrital materials deposited from water.

Between the north peak and the main peak, or Monte Diablo itself, along the narrow ridge of a little more than a mile in length which connects the two summits, the variable character of the metamorphic rock of the mountain may be well observed. Portions of it consist of jaspery material, or silicious slate, distinctly stratified; these have resulted from the metamorphism of the purely silicious strata. Here and there are patches of imperfect serpentine, formed from the more argillaceous sandstones; while

in places the rock becomes so highly metamorphosed as to be converted into a well-characterized mica-slate in which numerous small garnets occur, and also zircons of minute size. The north peak has an elevation of three thousand five hundred and ninety-three feet, or two hundred and sixty-three feet less than Monte Diablo proper. Here all traces of stratification are lost; but by a careful examination of the rock, where it is well exposed in all its relations to the surrounding strata, leads irresistably to the conclusion that it is not of eruptive origin. The gap between the two peaks is excavated in the soft, imperfect serpentine; it is about eight hundred feet below the summit of Monte Diablo.

One of the best points for observing the gradual passage of the argillaceous sandstone into the hard dioritic or Trappean rock, is along the flanks of the ridge of which Eagle Point is the culmination. The strata here may be traced in all stages of passage, from the soft sandstone to the hardest and most crystalline rock, to which in hand specimens an eruptive origin would readily be assigned by most geologists.

On the outside of this great central metamorphic mass, both on the north and south, but not entirely surrounding it, are heavy accumulations of jaspery rock, one of the most peculiar features of the mountain, and the material of which the culminating point itself is made up. On the north side of the North Peak, these beds are finely exposed, forming a lenticular mass about two miles long and half a mile wide. They have a nearly east and west strike and dip to the north. They are here, as elsewhere, of a red color, varying from a dull brick-red to a brilliant vermilion hue. The strata are usually thin, an inch being about their average thickness, and they are much folded together and twisted. These jaspery strata on the north side of the North Peak do not extend around so as to pass to the north of the Eagle Point Ridge, but may be traced in the ravines in which Bagley creek heads, passing into the unaltered shales of undoubted Cretaceous age, in which *ammonites inoceramus* and other fossils have been found, and which are largely developed to the north of the mountain as well as to the south. On the north side these may be traced high up into the mountain mass along the branches of the Arroyo del Monte Diablo. No one making an examination of this part of the mountain could doubt that these jaspers are the result of the alteration of the Cretaceous shales.

The rock of the summit of Monte Diablo is the same jaspery material, filled with fine reticulations of quartz, running through it in every direction; but, in some places, containing a large amount of epidote, which has been formed where the shale contained originally more lime than usual. The dip of these metamorphic strata is distinctly to the north, and the strike along the ridge leading to the summit is nearly east and west. At many points on the south side of the mountain near the summit, and for a thousand feet below, these masses of contorted jaspery strata may be seen.

At one locality, just two miles west of the summit, there is, in a narrow ravine, a most beautiful exposure of this kind. The strata of jasper are alternately brilliant red and light green, contrasting finely with each other, and are folded together in a manner which is rendered very attractive from the thinness and regularity of the different layers. The strike here is, in general, about N. 54° W., and the dip to the north from 50° to 70°. In tracing these strata to the west, they appear to give place to other metamorphic varieties of rock, of which serpentine is the most prominent, and we soon reach the entirely unaltered shales as on the north side of the mountain.

Serpentine is found, on both the north and south sides of the mountain, in considerable quantity. The largest mass is met with on descending the North Peak towards the north, where it forms a lenticular deposit about two miles long and half a mile wide, lying next to the jaspery shales. It also occurs in the gap between the two summits, and around the head of the Arroyo del Cerro, two and a half miles west-northwest of the summit. Here as in other localities, the serpentine is seen in every stage of passage from the argillaceous sandstone to the perfect serpentine itself. The boundaries are very irregular in all these localities, especially on the Arroyo del Cerro, where we come into the unaltered shales and sandstones on going a short distance in either direction.

The metamorphic region, thus indicated as forming the central mass of Monte Diablo, covers about twenty square miles, and from it a great variety of rocks might be obtained. The red and green jasperry rocks, however, are the most characteristic forms, and having been here so unmistakably traced to their origin as Cretaceous shales, they have been of great service in recognizing this formation in other localities, where the facilities for tracing it out in all its connections, and of determining its age by fossils are less than they are found to be in this vicinity.

This metamorphic region has been, at various times, assiduously explored for minerals and metalliferous ores of various kinds. Gold is reported to have been obtained in small quantities, and was at one time the object of expensive mining research. Cinnabar occurs at several points, especially on the northeast side of the North Peak, where quite handsome specimens have been obtained, associated with a silicious rock in which this ore usually occurs; it is also found on the ridge of Eagle Point. Copper ore has also been the object of much excitement in this region, as it is frequently found in small quantities, and occasionally in rather large masses, in the dioritic variety of the metamorphic rock. In and about Mitchell's Cañon, where this kind of rock is most developed, a considerable number of companies were at work in 1862 and 1863; but nothing had been discovered which could properly be called a regular vein, or worked with profit. It is interesting to notice, however, the occurrence of these ores in a rock of so

late a geological epoch, so evidently associated as they are with the existence of metamorphic action in this region.

Near the northwestern extremity of the metamorphic mass, about two miles northwest of the summit of Black Point, is the largest mass of travertine or calcareous trefa which has been yet observed in the State. It extends north and south for a distance of over half a mile, forming low ridges running northwest and southeast, and having sandstone both to the north and the south. Its width east and west is fully one thousand feet. It is almost white, much of it quite so, made up of a very pure carbonate of lime, and possessing the concentrically-aggregated structure so often exhibited by masses of stalagmite. It undoubtedly owes its existence to deposition from a hot spring, which once came to the surface at this point. This deposit has been quarried and burned for lime.

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It may be mentioned that there are other deposits of this calcareous material in this region. The most extensive, next to the one just noticed, is on the other side of the San Ramon valley, where it forms a very heavy mass on the side of the hill, about five hundred feet above the valley. Flanking the whole north side of Monte Diablo are unaltered cretaceous strata, having everywhere a northerly dip, and a general strike of about east and west magnetic; the dip of the mass is irregular, in some places vertical, but usually from 45° to 35°. These cretaceous strata consist of shales and sandstones, the former containing frequent beds of argillaceous limestone, which are generally less than a foot in thickness and rarely continuous for any great length. The shales are very soft and disintegrate easily, hence they are usually found occupying valleys between the ridges of sandstone, which latter rock resists the weather better. The valley at the base of Monte Diablo which separates the mass of the mountain from the hills farther north, in which are the coal mines, is occupied by these shales, which may be traced in the beds of the two branches of the Arroyo del Monte Diablo, which unite at the village of Clayton.

The same shales may be observed on the south side of the mountain, especially in the Cañada leading to Curry's house, and in the ravines running up to the south from this Cañada. As on the north side, so here, quite a number of characteristic Cretaceous fossils are found in this belt of rock, among which are: *Ammonites Newberryanus, Ammonites Botesii, Baculites Chicoensis, Fusus Mathewsonii, Amauropsis Alveata, Dentalium Cooperii, Dentalium Stramineum, Venus Varians, Cardium Annulatum, Eriphy la Umbonata, Pina Brewerii, Trigonia, Evansii, Cucullæa Truncata, Pecten Operculiformis.*

These strata, as exposed in the bed of the creek in Curry's cañada, have a very irregular dip, although usually at a high angle, and to the southeast, south, or southwest, near the mouth of the cañada near Curry's, the dip is from 80° to vertical, and the strike nearly east and west magnetic.

Next above the Cretaceous shales with argillaceous limestones intercalated, as just noticed, comes a very thick and heavy bedded mass of sandstones which, on the north side of the mountain, form the elevated ridge just south of and facing the coal mines. These sandstones contain a few Cretaceous fossils, such as *Axinœa*, *Natica* and *Dentalium*.

The Cretaceous strata curve around to the south as they pass to the east of the mountain, running out into the plains of the San Joaquin in long, low, and almost exactly parallel ridges. The counterpart of these Cretaceous sandstones of the north side is found also on the south side of the mountain, forming an elevated and conspicuous ridge, sweeping around parallel with the general strike of the rocks in this vicinity, but not forming so distinct a feature of the topography of the region as the Tertiary ridge next south of it. Its culminating points rise to the height of from two thousand to two thousand two hundred feet. To one of these points or ridges where the white soft sandstone was, at the very summit, curiously worn into cave-like hollows, is given the name of Cave Point. This is two thousand and seventy feet in elevation. Although these sandstones, in this vicinity, are very barren of fossils, enough are found to determine the fact that they belong to the Cretaceous series.

A little south of Cave Point, in the depression between that and the next ridge south, the sandstone is worn into curious tower-like forms, commonly known as Tower Rocks.

Coal has been found in the Cretaceous shales noticed above as lying under the sandstone, but the only extensive workable beds yet discovered are included in the sandstones belonging to the upper part of the Cretaceous.

Of the Mount Diablo coal-beds, the only workable deposits of this invaluable material yet discovered in the State, a full account will be given in our chapter entitled "The Mount Diablo Coal Field." Leaving this section of our theme, therefore, we will follow the geology of the region so far as it concerns the limits of this county.

The exact limit of demarcation between the Cretaceous and the Tertiary, in this vicinity, has not been exactly made out. Resting on the coal-bearing strata above described, there is a heavy mass of sandstone, with some shales interstratified, which, however, are more silicious than the truly Cretaceous beds of otherwise similar character. These beds appear to be beds of passage between the Cretaceous and the Tertiary; but fossils are so extremely rare in them that it is not easy to come at their precise relations. They hold the position which should be occupied by the Eocene Tertiary; but have yielded no forms recognized elsewhere as of this particular age. This mass of sandstones occupies, on the north side of the mountain, a considerable width on the surface, apparently not less than a mile to the north of Mine Hill. On the south side it appears less distinctly marked; in fact, there seems to be but little room for this body of strata between those of

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undoubted Cretaceous age at Tower Rocks, and the high ridge of Miocene Tertiary directly south of it.

Rocks of both Pliocene and Miocene age are extensively developed to the north of the strata first spoken of, on the northern slope of the range in which are the coal-mines. Those which are referred to—the Miocene division of the Tertiary—consist chiefly of sandstones, which are very heavily bedded towards the base of this part of the series. They are succeeded above by thinner and more fossiliferous strata, which not only contain large numbers of marine fossils, but also impressions of leaves and considerable fossil wood, the latter silicified and lying upon the surface, the rock having decomposed around it. These upper strata are referred by Mr. Gabb to the Pliocene division of the Tertiary, from a consideration of the number of living species which they contain, as well as from their stratigraphical position.

Resting upon these are strata of volcanic materials, such as ashes and pumice, which have evidently been ejected or washed into water and deposited in a stratified condition. These beds to the west of Kirker's Pass have a thickness of several hundred feet, and rise into considerable hills. Their dip is usually about 25° to 30°; but in some places they are elevated at as great an angle as 50°. Their straike is also somewhat irregular, and they form a series of rounded and bare hills, stretching along near the edge of the San Joaquin plain.

Above the sedimentary volcanic beds just noticed are beds of gravel and loose materials, probably a Post-Pliocene age, which also have a considerable but variable thickness, and which pass gradually into the modern deposits of the valley. All these strata, from the Cretaceous up to the Post-Pliocene, appear to be perfectly conformable with each other, and they all have a northerly dip, although it is variable in amount.

Topography.—The Sacramento river is navigable from the bay northward to Sacramento, one hundred and twenty miles, for large, commodious steamers, as fine as any upon the rivers in the Eastern States. They ply daily to Sacramento northward, stopping at Martinez, New York and Antioch; smaller, light-draft steamers ply regularly to Red Bluff, two hundred and fifty miles further, and on the Feather river, sixty miles to Marysville. The San Joaquin river is also navigable for large steamers, which ply daily to Stockton, one hundred and twenty miles. Above Stockton, light-draft vessels ascend toward Visalia, two hundred miles, and also for some distance up its branches, the Stanislaus and Tuolumne, and also the Mokelumne river. The light-draft steamers on all these rivers carry with them large barges, in which the crops of the farmers, firewood and other products, are cheaply and rapidly transported to a market at San Francisco at very low rates. A number of the creeks and sloughs emptying into the Bay of

Suisun are also navigable, and ascended by numerous steamers and sailing craft, which carry freight and passengers at reasonable prices. Thus a great portion of the county is, to a great extent, independent of the railroad, while the competition between land and water carriage insures low rates of freights and fares on both.

The course of the San Joaquin is very tortuous; and a writer thus describes a trip up the river by steamboat: "Looking through the cabin windows we see the brown banks of the river just below Antioch. By the time breakfast is over we are nearing False river and leaving Sherman Island. We go on deck and look around. Contra Costa lies just behind, its bare hills rising to the height of Mount Diablo, which, looked at from this low level, towers up very grandly. The flat extent of San Joaquin is to the right, while to the left the Montezuma Hills show quietly over Sherman Island. The view, however changes almost every minute as the steamer follows the channel, and Mount Diablo is as often seen over the bow as over the quarter, whilst sometimes it seems as though we were leaving it behind, only to find it almost instantly staring us in the face. The banks begin to narrow in as the afternoon comes on, and when we enter the west channel of the San Joaquin the character of the surroundings is entirely changed. The stream is narrow and flows apace, whilst willows grow down to the water's edge, the tule flags forming an outlying and lower fringe. Levees lie along most of the distance, covered now with alder and dwarf poplars, while here and there tree-covered mounds look like the farm groves of New Jersey. We are now between Union Island and the mainland, and the character of the banks has changed again. The pleasant green timber has gone, and the tule is everywhere.

"The San Joaquin river has such an erratic course about here that the only method of threading the curves and loops is by running the steamer's nose plump into the tules on this side, which fends her off until she swings around enough to plump her nose into that side."

The San Joaquin river is divided into three branches, known respectively as the West, Middle and East channels—the latter named being not only the main stream, but the one used by the steamboats and sailing vessels bound to and from Stockton—or, at least, within four miles of that city, from which point the Stockton slough is used. The east or main channel is navigable for small, stern-wheel steamboats as high as Fresno City.

The first mail ever carried up the Sacramento river was on the 24th of July, 1849, by Captain Seth M. Swain, of Martinez, in the schooner "John Dunlap." The mail matter was all contained in one bag, and the Captain received six hundred dollars for the service, while the entire postage on the contents of the mail was less than sixty dollars.

Suisun Bay is one of the chief bays that border the Contra Costa coast. Many of the gold-seekers here found a watery grave, or foundered upon

the middle grounds of the bay. Says Rev. W. W. Smith: "One schooner, in the fall of 1849, struck on the lower end of the middle ground, and the winds and waves soon broke her up, and the flour with which she was laden was cast into the bay. Those coming up the bay would pick up a barrel or two for use, and one large boat was engaged a long time in hunting up the barrels of flour, which were sold to the baker of New York of the Pacific for five dollars per barrel. Supposing them to be worthless, some refused to give any price; but they were but little damaged, even after a week's soaking in the water of the bay, wetting the barrel and flour half an inch deep, making the whole impervious to water.

"Another schooner struck, three miles from New York, on a spot not so dangerous, and she was strong and staunch-built, so that she sat upon the sand of the middle ground, and the sailors could walk around her at low tide. The captain and crew found a near cut to the channel, and by the use of the miners' spades and the work of the passengers, they dug a passage from the schooner, and the wind and tide serving right, they on the tide floated, and having a kedge anchor out in the right direction, the schooner and cargo were saved, and they all went up the bay rejoicing at their good luck and escape from the dangers of the Suisun Bay.

"A number of boats were swamped and stove upon the middle bars of sand in this bay, before a perfect map of the bay was known by the hurrying crowds who were compelled to navigate these waters to take their traps to Stockton and Sacramento. One boat was foundered, and the men swam to the south shore across the channel, but cold and wet they had to swim another slough one hundred feet wide, and then came to New York Landing for aid.

"Whale boats have stayed at New York waiting for a week at a time for the winds to settle, and came down before venturing upon the Suisun Bay.

"The ship *Henry Lee* was anchored in the harbor with short chains; the northers caused her to drag her anchor, but the banks on the south shore were such that she would work up and down to the south shore line in tides; and thus she was left to care for herself for about a year—1850—without grounding. She was taken in unharmed to the city and sent to sea. There is not a rock or shoal for all the distance from a mile below Antioch to Marsh's Landing, three miles above the town; making four miles in length, and wide enough for four or five ships to lie side by side and swing at the chain. The channel is on an average of about forty feet deep, and the clay banks are straight up and down."

The largest valley of Contra Costa County opens about midway of the northern boundary on Suisun Bay, about six miles wide, east and west, and fifteen long, north and south, reaching up to the foothills of the Mount Diablo spurs, and comprising portions known by various names, as Pacheco,

Diablo, Ygnacio, and Walnut Creek Valleys. Other smaller but important and beautiful little serpentine valleys coil up and almost surround the mountain, till lost in the narrowness of their waterways. The most important of these small valleys is San Ramon, extending from Walnut Creek Valley south, to the Alameda county line, quite dividing the main range of mountains from its Diablo spur, making a natural and easy highway through the county and around the peak of Diablo. In places this valley is as narrow as half a mile, while at others it spreads to one and a half miles, with three villages and dozens of highly prized farms and homes in a length of ten miles. The other only important valley in size is the San Joaquin, having a length of twenty-seven miles in the county by three and a half in breadth—reaching from the great central valley described at a spur of Diablo, called Bay Point, along the San Joaquin River east to the county line, and at a right angle with the other valleys mentioned. These valleys have a gentle descent to the bay and river on the north. Three busy villages occupy the water front of the San Joaquin Valley, and two others the foothill slopes and lower cañons. The foothill villages engage in raising the stores of fuel for improvident man, that an All-wise Creator laid up for him; the three coast towns engage in a mixed commerce of coal and food staples grown in the valley about.

The Alhambra Valley, west of the central or great Diablo Valley, and only divided by three miles of rolling hills, opening on the Straits of Carquinez, is narrow and but a few miles in length, but fertile and picturesque in its fringes of evergreen oaks, and dots of cottages white, and life in toiling, happy man, and useful beast. It has the county seat nestled upon its water line. Moraga, an elevated valley, in the west, with Taylor, Rodeo, Briones, Pinole and San Pablo, all small valleys among the hills of the western part of the county, go to make up the smiling dimples in the face of our mountainous county. No lakes or rivers add variety to the landscape, we regret to say, and few streams of any size endure throughout the usual season of drought, from April to November.

The Diablo meridian line divides the county most completely in three ways—in longitude, or as we express it in government surveys, as range east and west—in temperature and rain-fall, and in the difference in territory claimed under Mexican grants. From this north and south line west, nearly the entire half is comprised in Mexican grants, there being twelve grants ranging from three-fourths of one to five leagues in extent, while east of the meridian there are only three. We do not reckon the Western Pacific Railroad concession, which ranges along the southern border, and spreads its uncertain shadow of twenty miles wide over half of the country from west to east.

The one hundred and ten miles of tule delta, in the northern corner of the county, is estimated to approximate one-sixth of that kind of land in

the State. It is slowly increasing from natural causes. Much time, labor and capital have been expended in trying to successfully reclaim it from its annual overflow of tide and river, and appropriate it to agricultural and grazing purposes, with but small measure of success as yet. This portion of the county properly belongs to the San Joaquin Valley, but is a distinct feature in the county, and the contrast from such elevated vales as Moraga in the west, is a novel peculiarity. One has a valley elevation of about seven hundred feet over several miles, while the other, over a larger space, bathes itself twice daily in the restless tide of Suisun Bay.

Mount Diablo.—There was once a time when there were no human inhabitants in California, but there were two spirits, one evil, the other good; and they made war on each other, and the good spirit overcame the evil one. At that period, the entire face of the country was covered with water, except two islands, one of which was Mount Diablo, the other, Eagle Point, (on the north side). There was a coyote on the peak, the only living thing there. One day the coyote saw a feather floating on the water and as it reached the island, suddenly turned into an eagle, which spreading its broad pinions, flew upon the mountain. The coyote was much pleased with his new companion, and they dwelt in great harmony together, making occasional excursions to the other island, the coyote swimming while the eagle flew.

After some time they counseled together and concluded to make Indians; they did so, and as the Indians increased the water decreased, until where the lake had been became dry land.

At that time what is now known as the Golden Gate was a continuous chain of mountains, so that it was possible to go from one side to the other dry-shod. There were at this time only two outlets for the waters, one was the Russian River, the other San Juan at the Pajaro. Some time afterwards a great earthquake severed the chain of mountains and formed what is now known as the Golden Gate. Then the waters of the Great Ocean and the Bay were permitted to mingle. The rocky wall being rent asunder it was not long before the "pale faces" found their way in, and, as the water decreased at the coming of the Indians, so have the Indians decreased at the approach of the white man, until the war-whoop is heard no more, and the council-fire is no more lighted; for the Indians like shadows have passed silently away from the land of the coyote and eagle.

In addition to the above legend, the following somewhat similar tradition is current among the Indians, and though we may not have the means of verifying it, is certainly full of interest.

It is related that where the Bay of San Francisco now is, there formerly was a great lake, much longer, broader and deeper than the Bay. According to the Indian account this lake was more than three hundred miles in length,

with no outlet except in the rainy season, when it would overflow its banks and a small stream would run to the ocean some thirty miles south of the present outlet.

The ridge of hills along the coast was then unbroken and served as a dyke to prevent the waters of the lake from escaping to the ocean. Its level was many feet above that of the ocean, while its waters extended far up into the present valleys of the Sacramento and San Joaquin. On the shores, centuries ago, there dwelt populous tribes of Indians; indeed, if credence may be given to the tales of the aboriginals, the present population of California will equal that of those ancient days, when the "noble redman" fished in its waters and hunted through the forests.

The hills along the coast are formed of soft sandstone, and through this, the tradition relates, the water began to make a breach, which yearly grew wider, until it burst through and among the hills with tremendous power, leaving steep cliffs and precipices to mark its way—and what was once a lake several hundred miles in length, is now a bay not forty miles long. This may have been the cause for such a change, but it would seem far more reasonable to attribute it to some volcanic commotion which in those days might have been as prevalent here as they are now in Mexico and Central America.

How far this tradition can be corroborated must be determined by those who have the means; but no one who has witnessed the steep bluffs around San Francisco, or has passed the singular entrance of the bay, called the Golden Gate, with its perpendicular walls, or has seen the no less singular bluffs of Raccoon Straits, can for a moment doubt but that they were formed by some powerful agency, either fire or water.

Let us now for a little turn to consider the derivation of the name Mount Diablo, for by such a name is it known in the early English surveys. To the old Californian, it is recognized as the Sierra de las Golgones, they asserting that Mount Diablo is the name applied by them to another and smaller peak in the neighborhood, while De Mofras calls the mountain Sierra de los Bolbone.

General Vallejo, than whom few better authorities on Californian lore exist, in his famous report to the Legislature dated April 16, 1850, says: "Mount Diablo, which occupies a conspicuous place in modern maps, is the centre of this county (as it was then and still is). It was intended so to call the county, but both branches of the Legislature, after warm debates on the subject (the representatives of the county opposing the said name), resolved upon the less profane one of 'Contra Costa.'" The following he then gives as the history of Monte del Diablo: "In 1806 a military expedition from San Francisco marched against the tribe 'Bolgones,' who were encamped at the foot of the mount; the Indians were prepared to receive the expedition, and a hot engagement ensued in the large hollow fronting the western side

of the mount. As the victory was about to be decided in favor of the Indians, an unknown personage, decorated with the most extraordinary plumage, and making divers movements, suddenly appeared near the combatants. The Indians were victorious, and the incognito *(Puy)* departed towards the mount. The defeated soldiers, on ascertaining that the spirit went through the same ceremony daily and at all hours, named the mount 'Diablo,' in allusion to its mysterious inhabitant, that continued thus to make his appearance until the tribe was subdued by the troops in command of Lieutenant Gabriel Moraga, in a second campaign of the same year. In the aboriginal tongue 'Puy' signifies 'Evil Spirit;' in Spanish it means 'Diablo,' and doubtless it signifies 'Devil' in the Anglo-American language."

It is said that there is an old Californian legend in this regard preserved in the archives of one of the missions, which runs thus:—

Soon after the arrival of the Spanish Padres here, about the year 1769, to locate missions and civilize the aborigines, the Indians, among other tributes which they brought to the pious Fathers in token of their obedience, produced a quantity of gold nuggets, which they brought from the vicinity of a high mountain adjacent to what is now known as the Bay of San Francisco, and, which, according to their rude traditions, had once vomited forth both fire and smoke. The Padres foreseeing in this abundance of "the root of all evil" the future destroyer of their pastoral plans of settlement and the permanence of the Roman Catholic religion among these primitive tribes, determined to prevent the use of, or hunting for, the precious metal. They accordingly took all the gold which had been collected, and having secretly poisoned it, placed it in a tub of water, and told the Indians to make their dogs drink it. The simple natives, accustomed to yield implicit obedience, did as they were ordered, and the dogs that drank thereof died. The Padres then pointed out this as an instance of the ruin and destruction which would visit them and their country if they meddled any more with so dangerous an agent, and from that time the Indians carefully avoided the place whence the treasure was obtained, and, which, as the gold was held to be of a diabolical origin, and especially sent to carry out the plans of his Satanic Majesty, they ever after named it Monte Diablo, or Devil's Mountain.

The mountain is also said to take its name from a marvelous phenomenon witnessed amongst its wild and precipitous gorges, at a time when, in the language of an old trapper, "Injins war plenty, and white women war not." It is related that once, in an expedition against the horse-thief tribes who inhabited the valley of the San Joaquin as far down as the base of the mountain, the native Californians came up with a party of the freebooters, laden with the spoils of a hunt, and immediately gave chase, driving them up the steep defiles which form the ascent of the mountain on one side. Elated with the prospect of securing and meting out punishment to the

robbers, they were pressing hard after them, when lo! from a cavernous opening in their path there issued forth such fierce flames, accompanied by so terrible a roaring, that thinking themselves within a riata's throw of the principal entrance to his Infernal Majesty's summer palace, the astonished rancheros, with many a "carajoes!" and "carambas!" and like profane ejaculations, forgot their hostile errand, and turning tail scampered down the mountain faster than they had gone up. Reciting the adventure to their fellow-rancheros on their return, it was unanimously agreed that the devil and his chief steward had fixed their abode in the mountain, and in compliment to the great original dealer in hoof and horns, they gave the present name of Mount Diablo to the scene of their late terrific exploit and discomfiture. As for the Indians, who as they declared, all mysteriously disappeared as the flames rose in view, of course the Dons afterwards insisted that they were the favored children of the devil!

So much for these legends of Diablo. There are other stories connected with the mountain, bordering on the marvelous, or rather the diabolical, one of which is that a herdsman who had lost his way among the cañons, discovered what he supposed by the fading light of day to be a spring of clear water in a hollow rock, and that stooping down to appease his thirst, he was rather surprised at the marvelous celerity with which the supposed water slid down his throat and through his stomach, like drops of real water off the back of a duck. It was afterwards supposed that he drank from a pocket of liquid quicksilver, a supposition which subjected the old mountain to a pretty rigid investigation in 1848, by cinnabar hunters. Whether the tradition of the burning mountain had anything to do, also, with the explorations which were made about the same period (just before the general discovery of gold) for coal mines, we are not advised, nor whether the coal bed since discovered suggests an explanation, or furnishes an hypothesis by which to account for the burning pit which opened before the astonished gaze of the Indian scouting party, we leave it for others to determine, as we do also which of the above legends offers the most plausible reason for the name Mount Diablo.

This cognomen has, however, had its enemies. In the session 1865–66 of the California Legislature a petition was introduced by a Mr. Dodge asking for a change in the name of Mount Diablo. The *Bulletin*, a San Francisco newspaper, thus enters into a little *badinage* on the subject: "It may possibly be a trick of the devil himself to get another *alias*, or, perchance the prayer comes from a bevy of 'out-cropping poets,' living at the base of the mountain, who want the name changed to Parnassus. The probability is, however, that the petition originated with some mining company who want to get the name changed to 'Coal Hill,' or some other ridiculous title, in order to advertise their bituminous deposits. In either case, it is an absurd proposition, and besides it can't be done. The Legis-

lature is not equal to the task. They may succeed in changing the name of Smith to Jones, or Brown to Johnson; but when they undertake to give a new title to one of California's grandest old mountains, they reckon without their host. The popular voice won't accept the change. Though the Legislature may say 'Coal Hill,' the people will continue to say 'Mount Diablo,' and Diablo it will remain. It is safe to bet that when that towering lump of earth ceases to be called Mount Diablo there will be no mountain there, if, indeed, there be any California.

> 'While stands the Coliseum, Rome shall stand;
> When falls the Coliseum, Rome shall fall:
> And when Rome falls, the World."

The State Geologist in his report published in 1866, says of this grand old mountain:

"To the Survey it has served as a sort of key for unlocking the stratigraphical difficulties of the whole line of upheavals from Los Angeles to Clear Lake, and it was here that the Cretaceous formation in the State was first clearly recognized.

"Monte Diablo itself is one of the most conspicuous and best-known landmarks in California. But few persons in the State can have failed to recognize it from some point either of the Coast Ranges or of the Sierra Nevada. It is not its great elevation which has given it its pre-eminence among the innumerable peaks of the Coast Ranges; it is just the height of Mount Bache, near New Almaden, a point hardly known by name to those who have not made a special study of the geography of California, and it is overtopped by Mount Hamilton, San Carlos, and some nameless peaks to which no public attention has ever been attracted. The reason why Mount Diablo has so marked a pre-eminence among the peaks of the Coast Ranges is, that it is, comparatively speaking, quite isolated, especially on the northwest, north and northeast, the directions from which it is most likely to be seen. To the traveler passing up Suisun Bay, or the Sacramento or San Joaquin rivers, it presents itself in all its symmetry and grandeur, rising directly from the level of the sea, and easily recognizable from a great distance by its double summit and regular conical outline, resembling that of a volcano, which it was generally supposed to be by the early settlers.

"If the mountain is made such a conspicuous landmark by its isolated position, it becomes itself, in turn, a point from which a vast area of the State may be observed and studied. Rising as it does among the Coast Ranges, these may be traced from its summit, from Mount Hamilton on the south to unnamed peaks in the vicinity of Clear Lake on the north, and from the plains of the Sacramento and the San Joaquin to the Pacific, east and west. The great interior valley of California lies spread out like a map, extending as far as the eye can reach. To the east the view seems illimitable, and it is believed that there are few, if any, points on the earth's

surface from which so extensive an area may be seen as from Mount Diablo. This is due to the peculiar form of the Great Valley of California and the gradual rise of the Sierra, which brings higher and higher points to view as the distance becomes greater. The eye can range over an extent of four hundred miles from north to south, and back to the east, or towards the summit of the Sierra, as far as the crest of this range, the farthest northern point visible being Lassen's Buttes and the most extreme southernmost point near Owen's Lake, probably, thus affording a range over this snow-crested line of mountains of over three hundred miles in length. The whole area thus spread out can hardly be less than forty thousand square miles, not much less than that of the whole State of New York."

By an easy grade the way to the summit wends through the romantic Pine Cañon, skirted by precipitous hills, and occasionally buttressed by craggy pinnacles of rock whose shapes often assume the most fantastic forms. As the road ascends the flank of the mountain, each new curve opens up a fresh scene of beauty surpassing the one which preceded it, and the eye gradually takes in the added splendors of a panorama extending north, south, east and west, to the farthest horizon's verge. Some two miles from the summit we reach the building that formerly was used as an hotel, and near where in days of yore the toll-house stood. This point is the junction of the road from Danville, and from thence to the apex of Diablo there is but one route. As we ascend the mountain the pulse is quickened with each upward step, for each step adds a new glory to the scene, and when we reach and stand upon the summit, inhaling air,

"Pure as the icicle that hangs on Dian's Temple,"

with our vision sweeping over the vast extent of country, we feel our hearts expand, while our lips, in the language of poesy, exclaim:

"It is a land of beauty and grandeur,
Where looks the cottage out on a domain
The palace cannot boast of—seas and lakes,
And hills and forests, golden grain and waves
'Midst mountains all of light, that mock the sun,
Returning him his flaming beams, more thick
And radiant than he sends them:
Torrents here are bounding floods,
And when the tempest comes,
It roams in all the terrors of its glory.
And then the valleys—ah! they are
The homes for hearts—the cottages—the vineyards—orchards—
The pastures, studded with the herd and fold!
A free—a happy, grand and glorious country!"

The view from the summit is magnificent — beyond all description. Standing there on a clear day, and overlooking the craggy precipices and deep ravines, which impart an air of wild grandeur to the immediate vicinity, around the base of the mountain you behold, in all the elegance of

their graceful outline and the beauty of their light and shadow, the admirably rounded foothills, gradually diminishing in prominence until they merge with the delightful valleys through whose groves of wide-spreading oaks and sycamores the eye involuntarily traces out the meandering courses of the sparkling waters, that, after having dashed down their rugged mountain channels, appear to delight to linger amid the scenes of dreamy beauty with which they are surrounded.

Looking north you see the rich populous valleys of Napa, Sonoma, Petaluma and Russian River, and in the distance the succession of mountain ranges in Mendocino. On the east you see the Sacramento and San Joaquin plains, with their great rivers coursing through them, and the snow-enveloped Sierra Nevada; and towering high above all, at the extreme verge of the horizon, you can discern Lassen's Buttes, which, in a straight line, is distant from Mount Diablo, two hundred miles. On the south the noble San Francisco Bay, the Coast Range and Santa Clara valley form a picture of rare loveliness. On turning to the west San Pablo Bay with its numerous inlets, the city of San Francisco, the streets of which are plainly visible, Goat Island, Alcatraz, the Golden Gate, and the horizon-bounded ocean, complete a vast panorama of picturesque beauty and grandeur, which, as seen on a clear day, supasses all effort of portrayal.

Whoever has watched the coming of daylight, and seen the sun rise in ordinarily clear weather from the summit of Mount Diablo has witnessed one of the grandest spectacles of creation. Will the reader for a moment think of standing on a point commanding a twelve hundred mile sweep of horizon, and after wondering at the huge changing shapes and shadows of the mountain piles lying below in the pale light of the moon, setting in the west, watching the growing white light of day lifting in the east and tinting the sky above the Sierra range with pale soft rainbow hues, then, preluded by a momentary intense white shimmer, seeing a burst of vivid maroon-colored flame break above the mountain crests two hundred miles away, and the sun spring up, a glowing globe of red fires, which flash with intensity, the same colors, as the rays touch the waters, spreading through the tule marshes in the track of the sun across the great valley. Turning then to the west, the shadow of the mountain from which the spectacle is seen lies softly, but plainly, defined across the western valleys and hills, with its conical shadow-peak high up in the sky above the crests of the Coast range.

But there is a much grander sight than even this. The reader may be surprised when he is informed that a dense fog, so unacceptable to the denizens of the lower regions, affords this grander sight. We have seen several such in different parts of the world, and think them the most impressive and grandest of natures wonders, throwing the sun's rising or setting completely into insignificance. Far as the eye can reach, a slowly moving

mass of gigantic translucent vapors, traveling in stately grandeur, lies spread out hundreds of feet below, utterly obscuring hill and valley, as much so as though they had been what they much resembled, the stupendous billows raised by a mighty storm, and, then, as the power of the sun's rays dispersed their force, might be seen peeping through the ocean of foam first one, and then another hill-top, and the vapors, following the various inequalities of the land, might be seen tumbling over the hill-sides grand as Niagara's mighty cataract. None who have once seen this sight are likely ever to forget it.

As the mists clear away the eye first turns its expectant gaze towards the blue waves of the Peaceful Sea, and there it is; and, if the season be spring, over the greenest of valleys brilliant with myriads of wild flowers; over the Bay, and the Bay City; over the portals of the Golden Gate, untill one's eyes drink in the sight of the Pacific as far as the Farralones de las Grayles, twenty miles beyond where its waves thunder upon this rocky coast. We can appreciate now the feelings which made Balboa speechless, when, from the pinnacle up to which he had climbed, he first looked upon this grand old ocean. In our own vicinity, we have to the south McGreer's Cañon, Moraga, Tassajara, Green, Sycamore, and San Ramon valleys. To the north one glances over Diablo valley, Martinez, the Straits of Carquinez, Benicia, Vallejo, Mare Island to the horizon along which extends, as far as the eye can reach, the snow-white peaks of the Sierra Nevada. This fascinates the eye as much as the west view of the Pacific. To the east one overlooks the smaller of the two peaks of Diablo, to the San Joaquin plains and Stockton.

Mount Diablo bears unmistakeable evidence of having once been a volcano of some force. A portion of the crater is still well marked and can be traced without difficulty. The igneous rocks lie along its cañons from base to summit. The primitive slate and granite, with intervening ledges of quartz, crop out everywhere. Much of the range north and south of it partakes of the same character and must have been elevated with it. Limestone is found in many places on the eastern slope—an indication to the mineralogist that silver will be found in greater or less quantities among its mineral deposits. The height is three thousand eight hundred and seventy-six feet.

The *New York Times* is responsible for the following amusing anecdote about Mount Diablo, with which we purpose closing this portion of our subject: "In early California settlement days, it was deemed 'the cheese' for the adventurous Yankees to pay great deference to the Roman Catholic predilections of the aboriginal and abo-Mexican population. One sharp but illiterate chap, from somewhere near sunrise, happened to fix his eyes upon certain rich lands in the neighborhood of Mount Diablo; and on a tempting occasion, when some saint's festival called together on that mount-

ain all the local dignitaries of the church, our Yankee made his 'ten-strike.' After volubly impressing upon all who would hear him his intense respect and veneration for the only true church, and his love for her ministers, (those who could convey the coveted lands, of course, being meant), he culminated in a brilliant idea. He had somehow learned that the Spanish Catholics were partial to the prefix 'San,' and he knew that it meant 'Saint.' So, winding up a speech intended to be eulogistic of all the saints in the calendar, he said: 'Now, venerable Fathers and laymen, allow me to propose that, on this memorable occasion, we add one more to the brilliant galaxy of sacred names in this beautiful land—one more saint to the glorious list that honors the Golden State; I propose, sirs, that the mountain on which we are now standing be hereafter and forever known as San Diablo.' It is recorded that the worthy Fathers were for a moment in doubt whether to be indignant or pass 'Saint Devil' off as a joke, and the question was never fully settled; but the ambitious sponsor, somehow or other, never got the land, and would always insist that the priests were a stupid lot of humbugs."

CLIMATOGRAPHY.—On such a subject as the climate of a portion of the State of California, we deem it well to reproduce the mature thoughts of a scientist, as given by Dr. J. R. Howard in the *Contra Costa Gazette*, in the year 1876, rather than give our own ideas, which, at best, would be most imperfect, owing to the shortness of a residence, comprising but one season, in the district. The learned Doctor says:

"The climate of the county has the relation to other parts of the State that its geography and peculiarities of surface configuration would indicate. In general, it is a medium between the warm, corn-producing valleys of Los Angeles and San Bernardino and the potato and oat-producing valleys of Humboldt and Trinity. Twice in twenty years we remember to have seen an inch of snow fall in the valley. A dozen times in the same number of Winters we have seen old Diablo's pate glittering in a fleecy mantle of white for a few hours—we think never longer than forty-eight. Even then we have seen the sun shining warm upon the exposed slopes, the grass and flowers blooming, the lambs and children at play in the yards and fields, the larks and blue-birds singing from the trees and fences as in mating-time. Again, at other times in Summer, we have seen the thermometer climb to the uncomfortable height of one hundred and eight degrees in the shade, in the valleys, and preserve for days—usually about three—around that notch, receding, however, from the going down of the sun, till about seventy-five degrees was indicated by bed-time, and ten or fifteen degrees less before morning.

"The division of the seasons into wet and dry is California's distinctive peculiarity. There is nothing like it known in the older States, and scarcely

elsewhere; and the fact of the rainy season occurring in Winter in place of Summer exercises a wonderful influence over its temperature and salubrity. Our ocean winds of Summer and southeast winds of Winter antagonize, yet harmonize, the seasons most perfectly. The northwest Summer winds, with coquettish squalls and showers, play with other points of the compass for a few days, then settle into steady purpose about the middle of April, and throughout the season until November 1st, keep faith with all who trust dry weather prophecies; then, slowly, as if exhausted, dry winds lull into a calm, often for fifteen or twenty days, when from the opposite point of the compass begin those antagonizing winds, laden with the moisture of the warm southeast, which, in passing over our county on their way back to the ocean, meet with the conditions to precipitate them in warm Winter rains in the various quantities that we find by measurement. In this way our temperature is peculiarly influenced by the winds, as well as by the amount of moisture carried upon the mountains and elevated valleys during the prevalence of the northwest, fog-laden winds from the ocean, most of the Summer months. For example, about June the strong northwest winds begin to come in from the sea, heavily charged with a rolling spray, enveloping hill and dale like a dense smoke all over the bay side of our county, obscuring the sun for days at times, and bringing a shivering temperature with it, even in July and August. These rolling fog-banks fall heavily against and on top of our hills and elevated valleys, over the western part of the county, and through such passes in the mountains as are in the line of direction they pour over and through into the first series of valleys with a force that is often disagreeable, and temperature that makes Winter clothing indispensable. The thermometer will indicate about from fifty-five to sixty-five degrees during these fog-laden winds, which prevail, more or less, for one-fourth of the time in Summer over the western half of the county. At times the moisture accumulates on the bushes upon hill-tops sufficient to fall and run in the roads.

"The middle valleys, lying parallel to the coast have a higher temperature, except just at or about some of the low divides in ranges of hills toward the coast, where the fog-charged winds come in like water over a precipice. In these valleys the fog from the passes eddies and falls, while over the crests of the parallel hills may be seen and heard the roaring, rolling fog-banks, breaking and losing the largest portion of their burden, while the higher and lighter portions are broken up into fleecy fragments to pass on to the next highest point in line, which, in our county, would be Diablo and its spurs.

"From the peculiar configuration of surface the middle portion of the county has a coast-wind brake in its western hills, sheltering it from fog and force of the heavy winds, giving a modified Summer temperature under the fog-banks without its disagreeable feature. The average range of the ther-

mometer in Summer for the middle valleys would be from seventy-five to eighty-five degrees, with an occasional scorching spell of about three days. The Winter's temperature varies from forty to seventy degrees, with an occasional fall to the freezing point, and in rare instances four or five degrees below. Frosts occur during about six weeks in the months of December and January. On the northern boundary, along the water lines of bays and rivers, the coast winds blow unobstructed through the Carquinez straits, and over the great eastern valley of San Joaquin with a force and freshness that gives this part of the county a temperature about ten degrees lower than the middle valleys, but from fifteen to twenty degrees above the western part. This current carries but little fog beyond the straits or opening of the middle valleys of the bay, and passes over the eastern half or great San Joaquin valley hills dry and rarified by the reflected rays of the sun, from a surface that has had the lightest rainfall of the county.

Rainfall.—"The rainfall of the different parts of the county is also peculiar—depending upon altitude, course of the wind, currents and timber, the Winter temperature being considerably affected by the fall of rain in each of the three divisions. Thus, over the western part, that is, the mountainous, the rainfall is about twenty-three inches annual average; the middle valley about nineteen; the eastern valley and north spurs of Diablo about fourteen; and each having a relation in rainfall and temperature peculiar to itself. To condense in a few words, the temperature and rainfall may be compared thus: The western half of the county, taking the west line of the great central valleys as the division, has about the same temperature and rainfall that San Francisco has—being elevated, timbered and exposed to the same ocean influences; the eastern hills and valleys have nearly the rainfall and temperature of the great interior valleys of the State—Sacramento and San Joaquin; the middle valleys and hills between Mount Diablo and spurs and west San Ramon hills is the medium in rainfall and temperature that its situation would indicate.

Salubrity.—"In a country like this whole State, with its peculiar surface, seasons and situation, we should expect to find health and longevity the rule, and such is the case—always excepting the windward side in Summer of the *tule* deltas of the rivers and bays, which is a small exception in a great State like this. With a situation lengthwise, parallel to the ocean; a sharp, shedding water surface from abrupt mountains and sloping valleys; comparatively light rainfall, the absence of heavy forests over the largest portion of the State, and the very fortunate peculiarity of its rainy season occurring during the Winter months; its steady northwest sea-winds of Summer, all distinguish it as the sanitarium of all known lands, and statistical tables show our cities with a less mortality in proportion than any

others. Our county, holding that happy mean of location and climate in general with its own peculiar local variety in temperature and moisture, would naturally be supposed to follow the same rule of health; it is so; there is no healthier county than Contra Costa in this State, or any other; with the exception of some spots upon the leeward margin of the overflowed land in the northeast corner, there is no malarial cause in the county, no pestilential marshes, no decaying forests, no stagnant pools of stinking water, simmering under a Summer's sun, to sorrow the land with sickness.

"For an out-door life, to an active, vigorous constitution, the western half of the county is the place to seek. Its open, pleasant Winter, and cool, moist, bracing, fog-shaded Summers, just meet the needs of the toiling mass in field and shop. In the central valleys locations are found that are sheltered by crest and mountain peak from the harsh winds and fog of the west in Summer, and the driving southeast gales and rain of Winter. Such places as Clayton, all the upper portion of Ygnacio Valley, and a portion of San Ramon, are examples of this particular excellence. The eastern portion, with a less rainfall, a dryer soil, rapid drainage, a dry, bracing wind over it in Summer, and a sheltered situation for Winter, would naturally have all the essentials to health.

"This is so over the dry valleys and hills, but in this portion is the one hundred and ten square miles of overflowed land of the county, and in some seasons generate miasmatic fevers among those living on the wrong side of such locations. But the suffering from such causes is mild compared with that produced in other climates, where summer rains and a high temperature encourage the growth of vegetation, where the water stands and dries, and the winds blow from no certain quarter, and scarcely from any, and a stench arises from ponds and fens suggestive of drugs and doctors, pills and bills. In a twenty years experience in the middle and eastern portion of the county we have seen about three years when a mild typhoid type of fever prevailed to a considerable extent in the Summer and Fall, but with a very small percentage of mortality. To persons predisposed to throat and chest weaknesses, all the windy portions are unfavorable—but there are the sheltered dells and fringed rifts of old Diablo that will give them a home for their needs, under the shade of the evergreen oak and fragrant buckeye. To those needing a warm, dry climate, the San Joaquin Valley portion of the county is at hand, with its mineral waters, boiling springs and rarefied atmosphere.

"Contagious diseases introduced into our county refuse to spread. We have known cases of small-pox, measles, scarlet-fever, etc., brought to the county from elsewhere, that have not cast their dreaded shadow over a second threshold. We never saw an epidemic contagion in the county. Children born in this county are more vigorous, better developed physically, and freer from the pests of vermin, scabies, an eruption of childhood, than

in any other part of the world—we say this without fear of successful contradiction. With such a start in childhood, in a favorable location of the earth's surface, there must grow up a healthy, contented, intelligent manhood about the base of the old central mountain that will keep us in the van of progress."

General Remarks.—In concluding our subject of the climatography of Contra Costa County, let us quote from Lieutenant Maury, that eminent scientist whose fame is world-wide. He says: "The calm and trade-wind regions or belts move up and down the earth, annually, in latitude nearly a thousand miles. In July and August the zone of equatorial calms is found between seven degrees north and twelve degrees north; sometimes higher; in March and April, between latitude five degrees south and two degrees north. With this fact, and these points of view before us, it is easy to perceive why it is that we have a rainy season in Oregon, a rainy season and a dry season in California, another at Panama, two at Bogota, none in Peru, and one in Chili. In Oregon it rains every month, but about five times more in the Winter than in the Summer months. The Winter there is the Summer of the southern hemisphere, when this steam-engine is working with the greatest pressure. The vapor that is taken by the southeast trades is borne along over the region of northeast trades to latitude thirty-five or forty degrees north, where it descends and appears on the surface with the southeast winds of those latitudes. Driving upon the high lands of the continent, this vapor is condensed and precipitated, during this part of the year, almost in constant showers, and to the depth of about thirty inches in three months. In the Winter the calm belt of Cancer approaches the equator. This whole system of zones, viz: of trades, calms and westerly winds, follows the sun; and they of our hemisphere are nearer the equator in the Winter and Spring months than at any other season. The southeast winds commence at this season to prevail as far down as the lower part of California. In Winter and Spring the land in California is cooler than the sea air, and is quite cold enough to extract moisture from it. But in Summer and Autumn the land is warmer, and cannot condense the vapors of water held by the air. So the same cause which made it rain in Oregon makes it rain in California. As the sun returns to the north, he brings the calm belt of Cancer and the northeast trades along with him; and now, at places where, six months before, the southwest winds were the prevailing winds, the northeast trades are found to blow. This is the case in the latitude of California. The prevailing winds, then, instead of going from a warmer to a cooler climate, as before, are going the opposite way. Consequently, if under these circumstances they have the moisture in them to make rains of, they cannot precipitate it. Proof, if proof were wanting, that the prevailing winds in the latitude of California are from the westward, is obvious to all who cross the Rocky Mountains or ascend the Sierra Madre."

It will thus be seen that the wind, which has so general an influence upon our climate, comes directly from the Pacific Ocean, forces its way through the Golden Gate, and, striking the Contra Costa hills, is wafted into the many delightful valleys of the conterminous counties.

Tule Lands.—*Tules* are similar to the plant known in the Eastern States as "cat-tail," and may be termed a cross between the bulrush and flag, their blades being long, whip-like rushes, with a feather bloom, or stout in stem, with the black cat near the top, growing to an average height of four feet. They are perennial, for destroy them one year and the next they are in full force.

Of the large area of *tule* lands in Contra Costa County, but comparatively a small acreage has been brought into cultivation, although some of the islands in the estuary of the San Joaquin have been reclaimed for years by means of constructing levees to repel the overflowing waters. When this is successful the result is a triumph, and includes immunity from drouth, healthful and pleasant climate, inexhaustible productive powers of soil, and being in the highway of steamboat traffic, cheap transportation.

Among the islands reclaimed we may mention Union Island, lying between the old and middle channels of the San Joaquin, comprising about forty-five thousand acres, and owned chiefly by General T. H. Williams, of Oakland; Roberts Island, separated from Union Island by Middle River, and lying between it and San Joaquin proper, containing about sixty-eight thousand acres of land; Sherman Island, between the San Joaquin and Sacramento rivers, immediately above the point of juncture, containing upwards of fifteen thousand acres; Kimball Island, opposite the town of Antioch, formerly owned by Captain Kimball, and others which we have not space to notice.

Upon reclamation of one of these islands, the first business is to destroy the *tules* by plowing and rolling, the rollers being a power of reproduction. The latter process is primitive and effective. The rollers are heavily weighted, double, ten feet in diameter, and are *pushed* into the *tules* by four horses, a man steering their course by means of a rudder wheel. The land is then plowed up in deep, wide furrows, and the roots of the weeds burned out. Potatoes are usually planted first, followed by beans, so that two crops are raised in the year, while, when in good working order, and free from floods, the fertility is fourfold that of ordinary upland.

Tule lands present a vast field for enterprise and capital, while the returns of produce show astonishing results. Fruits, cereals, bulbs, and vegetables grow to rare perfection—indeed, no manner of cultivated plant, tree or shrub, that flourishes in any part of the United States, has yet been found to fail when tried on these lands, while they usually attain an extraordinary growth seldom equaled elsewhere.

Agriculture.—Previous to the advent of Americans in California, little land was devoted to agriculture, for the Mexicans had but a crude idea of its science, and possessed just sufficient skill to cultivate enough of vegetable food to sustain life. They believed that mountain, hill and dale were intended for pastoral uses, and nothing else, therefore they sought not to bring the fertile valleys under the plow, and left Nature to pursue its own course. Perhaps their reason for so doing was the want of a market for cereals, for they always had one for hides and tallow; they were stock-raisers, not farmers, hence the little wheat and maize, beans, water-melons and onions they cultivated, were for home consumption rather than for outside wants.

When gold was discovered in 1848, the western world knew next to nothing about California, indeed it was an *Ultima Thule* to the best informed. With the frantic shibboleth of "gold" the whole world was set on fire, and "every kindred and tongue" flocked to the Pacific shores, and among them of course vast numbers of practical farmers; but it was not grain they sought, it was gold. Happily there were a few whose minds were evenly balanced, who saw that all could not join in the search for "dust," and yet live. Food was imperatively necessary; the Mexicans had not enough to sell, therefore in another way the mines yielded to the first agriculturists of California a surer fortune from mother earth than was to be gained by pick and rocker, still there were many who held to the belief that a country which for six months of the year knew no rain, could not be otherwise but a comparatively barren waste. But as time went on its fertility was fully proven, and the provisioning of the mining camps passed from the hands of the Mexicans entirely into those of the Americans, and great was their reward; even in 1850, onions and eggs commanded fifty cents apiece, and watermelons from two dollars and a half to double that sum.

The first to attempt the cultivation of the cereals within the present confines of Contra Costa County, was Doctor John Marsh, who settled on the Rancho Los Mejanos in or about the year 1837. With characteristic energy he at once commenced many improvements of a practical nature more in consonance with western ideas than those of his neighbors, while, with a rare intuition he declared his belief in the marvelous resources of California in a now famous communication to Hon. Lewis Cass, dated "Farm of Pulpunes, near St. Francisco, Upper California, 1846," in these words: "The agricultural capabilities of California are but very imperfectly developed. The whole of it is remarkably adapted to the culture of the vine. Wine and brandy, of excellent quality, are made in considerable quantities. Olives, figs and almonds grow well. Apples, pears and peaches are abundant, and in the southern part, oranges. Cotton is beginning to be cultivated and succeeds well. *It is the finest country for wheat I have ever*

*seen. Fifty for one is an average crop, with very imperfect cultivation. One hundred fold is not uncommon, and even one hundred and fifty has been produced.** Maize produces tolerably well, but not equal to some parts of the United States. Hemp, flax and tobacco have been cultivated on a small scale, and succeed well. The raising of cattle is the principal pursuit of the inhabitants, and the most profitable."

Unhappily we are not in a position to state statistically what the Doctor's own success on his rancho was, or that in his letter to the illustrious statesman he recounted the capabilities of his own lands, suffice it to say that his domain was not the least productive in the county. The first actual precise knowledge we have been able to glean in regard to pioneer agriculture in the county is that the honor is due to the Hon. Elam Brown, of being the first to farm with any practical results in Contra Costa, for we learn from him that in 1850 a yield of about one hundred and five bushels per acre was obtained from an ancient cattle corral near his residence at Lafayette, to which place the first honors belong. The beautiful valley of San Ramon claims the second place, for here in 1853 R. O. Baldwin threshed out the produce of a field by the old process of horse stamping, and received more than fifty bushels per acre of excellent wheat, at the same time realizing five hundred dollars for the yield of half an acre planted in onions.

It is sufficient for our purpose to know that these two gentlemen were the pioneer wheat-growers of Contra Costa, a county which thirty years thereafter has its every arable space one waving field of grain. It is not our province here to follow those others who came in their wake with other grains and vegetables, but rather to state the historical fact that Messrs Brown and Baldwin were the first to prove the wonderful adaptability of California soil to wheat culture in our county.

The first crops raised showed a prodigious out-turn, usually fifty or sixty fold, but unfortunately the science of farming was sunk into the greed of gain, the prolific soil was given neither rest, nor recuperative aid, and the perpetual croppings have resulted in diminishing the yield to about one half of the original product.

Dr. John Strentzel, in a valuable and exhaustive paper on the agricultural and horticultural developments and resources of Contra Costa County, published for the first time during the year 1876 in the *Contra Costa Gazette*, states it can be safely assumed that for several years to come the area cultivated in wheat will be in the vicinity of sixty thousand acres, yielding nearly one and a half million bushels of wheat, and twenty thousand acres in barley, with an average product of seven hundred and fifty thousand bushels, or a total of both cereals of two and a quarter millions of bushels, representing a gross value in the San Francisco market, at

* The foregoing is not italicised in the letter of Dr. Marsh.

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present prices, of one million eight hundred and ninety-three thousand two hundred and fifty dollars. He further remarks, that but a slight percentage of this is clear gain, and if the deterioration of the soil, consequent upon the elements of the loss of fertility, carried away in the grain—together with a justly claimed percentage on the capital invested in farming —naught is left to the few thousand persons engaged in the industry but the absorption of former earnings and accumulations of former days. This showing, however, instead of having a depressing effect should rather stimulate the farmer, aware as he is that in good years the fertile hills surrounding the base of Mount Diablo and the prolific valleys of Pacheco, San Ramon, Moraga and Pinole teem with plenty and prove a source of wealth to the lucky possessor.

About two-thirds of the cultivated land in the county is devoted to wheat, it being more extensively grown than any other grain, while its berry is large, plump and hard, dry, white and strong, with much gluten, which makes a tough dough. Indeed, the California wheat generally has this peculiar property, which has gained for it the reputation of being the best in the world, while it is so hard that without mills specially adapted to it, it cannot be ground into flour.

Maize, Potatoes, Flax, Hemp, Alfalfa, and all other grains, tubers and grasses grow to perfection, as do all ordinary products coming under the order of things Agricultural.

In the above-quoted article of Dr. Strentzel we find: "The area of Contra Costa County is nearly four hundred thousand acres, which is classified, according to the Assessor's returns, as: First grade, or broken hill and mountain lands, salt marsh and swamp and overflowed lands, one hundred and fifty-six thousand acres, at the Assessor's valuation of from three to six dollars. The second grade are best grazing and poorest farming lands, and partially reclaimed swamp and overflowed lands, one hundred and twenty-three thousand six hundred acres, valued at six to thirteen dollars. Third grade, best farming lands east of the Diablo range, second quality valley and best hill lands lying west of the Diablo range, ninety-four thousand acres, valued at twelve to twenty-two dollars. Fourth grade, best valley lands lying west of the Diablo range, forty-four thousand five hundred and forty-four acres, valued at twenty-two to one hundred and ten dollars. Of coal lands, two thousand two hundred and sixty acres; possessory claims, twenty-one thousand acres, a total of four hundred and forty-two thousand and four acres, valued at five millions one hundred and fifteen thousand three hundred and seventeen dollars.

"In comparing the small area under cultivation with the total aggregate of land, suitable for profitable culture, we are impressed with the opportunities offered of its immense increase; thus, in the least valuable portion, classed as first grade, there are over seventy thousand acres of *tule*

delta around the mouth of the San Joaquin river, and overflowed land along its banks, and this land, when reclaimed, will surpass in abundance and variety of products the famous delta of the Nile. Why there is so little progress made in that line is because the work of reclaiming those *tule* lands is prosecuted rather as a job for fat contracts, and there is no well-devised system of procedure. The County Supervisors, acting nominally as Swamp Land Commissioners, do not appear to have power or inclination for effectively controlling the managers of the different Reclamation Districts to compel the payment of assessments for work done on contracts. In consequence, the work lags, with the apparent intent to freeze out smaller holders, and consolidate the princely domain into the hands of a few. From the experience so far gained in the reclamation work, it proves to be entirely feasible and facile of accomplishment; and the success already achieved in raising bounteous and luxuriant crops surpasses the most hopeful anticipations.

"The value is enhanced by this *tule* locality being exempt from miasmatic disease, and its resemblance to the great country bordering on the Nord Sea—barring the roughness of that climate makes it appropriate to call ours the future Holland of the Pacific—the most valuable portion for dairy purposes and for endless luxuriant crops of grain. Almost as well the delicate children of Pomona's vegetable realm take kindly to the situation; their feet daily laved by the ever-recurring tides, find abundant food, and the long season of solar action elaborates it into saccharine juice. Apples, pears, plums and berries grow to perfection, and any favoring knoll furnishes a home for a vine, where grapes, large and juicy, if not so sugary as those grown on the upland, produce a most abundant and excellent article for the table. The innumerable sloughs and water-courses, the natural roadways, are so many reservoirs for raising valuable kinds of fish, and will teem with animal food as soon as our legislators get awake to the importance of guarding and protecting public interests. Even the most broken and barren mountain land of that section will yield fresh range and outlooks for flocks of fleecy Angoras. Again will be spoken that word of ancient days, 'The stone which the builders rejected is become the head of the corner.'

"The second division comprises one hundred and twenty-three thousand six hundred acres. The first-class grazing lands include much undulating hill land, well adapted to grape-growing, which, owing to the dry climate of that section, will prove the most desirable for raisin culture. The poorest class of farming lands is so for want of water, and, if irrigated, may surpass the richest in abundant yield. The partially reclaimed lands need only higher and stronger levees, and a better knowledge of their management, to fully sustain the good repute they have acquired during favorable seasons. This scope of country, lying east of the Mount Diablo range, suffers with a

minimum rainfall, and its sandy soils soon become parched and its vegetation withered, rendering the crops uncertain. Whenever full irrigation can be practiced by the arrested waste of waters during copious rains, and from San Joaquin river, or artesian wells, it will be sought, for its mild Winters and early vegetation adapt it to the culture of semi-tropical fruits—its sandy soil found well suited for growth of the date, palm, tamarind, carol-tree, pistachio nut, olive and the orange family.

"The ninety-four thousand acres of third grade, and forty-four thousand five hundred and forty-four of fourth grade, comprise the garden spots of the county; divided into small holdings, they will form a great hive of industry, furnishing most desirable homes for the affluent, enjoyable with the beauty of most varied scenery, the mildness and salubrity of its climate, all within easy reach of the metropolis."

Although we have confined our remarks chiefly to grain-growing, stock-raising has a large share in the industrial resources of the county, the breeds of cattle, horses, sheep, swine, etc., imported from the Eastern States and abroad, being nowhere surpassed. Dairying is also carried on in a great degree, to such an extent, indeed, that the making of butter for sale has, as an industry, almost supplanted the rearing of cattle for the market, while sheep farming receives its due attention; but all these give way to the raising of wheat.

Pomology.—Let us now take a retrospect of another division of pioneer labor, in the fields of horticulture, which, though not so pretentious in its growth, at the same time exercises not less abiding influence on our well being. It has been said, "Fine fruits are the flowers of commodities." A tree planted is an heirloom for future generations; it is a sign of expanded culture and civilization; its shade as grateful to the wayfarer as to its owner, without diminishing his substance. The Mission Fathers early planted orchards of such kind as it was then possible to transplant from Mexico or old Spain; they had several varieties of pears, a few apples and almonds. Pomegranates, figs, olives and grapes were more assiduously cultivated. The grapes, mashed and fermented in large rawhide vats, yielded an amber juice celebrated for its sugary and fruity flavor. With the expansion of settlements, such trees and vines were sparsely planted by the rancheros. In Contra Costa County, the earliest date, from the year 1835 or 1837, the largest fruit garden was that of Francisco Castro, near San Pablo; next, that at Pinole, and somewhat later Dr. Marsh, of Los Mejanos, produced excellent grapes. On the advent of the Americans, fruit of any kind, and especially grapes, bore fabulous prices, inducing many, from the innate love of the occupation, others carried by the money point, to bend all their energies, supported by capital, untiring industry and perseverance, to obtain from foreign countries the choicest and best varieties, and

acclimate them in our midst. Unfortunately the majority of trees thus obtained at exorbitant prices proved worthless, as not true to name, or not suited to the climate, or not satisfactory to public taste; many were planted in improper locations, some dried up, and more were killed by irrigation or overflows.

A few fruit trees planted in the years 1851 and 1852 still survive, near Lafayette and Martinez. In 1853 this industry received an impetus by the labors of several citizens who then settled on El Hambre Creek; the brushy dale was cleared after a hard struggle, and in the place of impenetrable bramble and chaparral, a luxuriant growth of fruit trees and vines covers the ground. In the opposite direction, near Clayton, another break was made with extensive vineyards, and these, proving the adaptation of the soil and climate, induced others to follow, and trees and vines, planted on the increase, mark the homesteads as the oases of grainfields. The culture of fruit for the home market is already overdone, but thanks to the enterprise and inventive genius of our day, we can as well speed the rail car with the most perishable fruits in their natural condition, or preserve, desiccate and prepare them in any desirable manner, and then load the precious product of preserve or raisins on another "St. Charles" as easily as we do the golden wheat—with this difference in our favor, that we shall be thus a preferred producer, dispensing the flower of commodities, finding with us an extensive habitat, instead of an intruder on the home productions of distant nations. Contra Costa County, within hail of San Francisco, with the most perfect climate, possesses also the richest of soils, and admirable locations. Here a slope, basking in the full sunshine, fit to distil the sugar-essence of grapes; there a low, moist, cool valley, the home of the apple and plum; or a rich, mellow, alluvial soil, sheltered, cosy and warm, where the peach blushes as a rose, and gives challenge for its sugary juiciness. All this ground, if well cultivated, is abundantly watered by the dews of heaven, carried on soft wings to this their resting place. The choicest varieties of grapes grow to perfection. Pomegranates, olives, figs and almonds find a congenial home. Oranges require but little shelter when young, not more than in Italy or Spain, soon get acclimated, and the golden fruit ripens well.

The experience now gained in the manner of cultivation, the selection of favorable locations, the knowledge of varieties desirable for certain uses, the way of preparing them for market, and the ready foreign demand now created for these products, make the venture now certain of pecuniary profit, and is soon to be considered indispensable in mixed and advanced husbandry—which we must now assiduously cultivate, if not wishing to be left behind in the race for prosperity and advancement. Thus, from five to twenty acres on each farm, planted with fruit suitable for drying, raisins or wine, will make a gradual transit from the old ways of farming, without

jeopardizing present sources of income, and will create a demand for Alden factories, raisin camps and co-operative wine cellars. Then it will be apparent how long we have remained in an indolent, Rip Van Winkle slumber of grain-growing to supply cheap bread to distant nations, and impoverishing ourselves for their sakes.

EARTHQUAKES.—There is a sort of nameless terror about an earthquake to those who have never experienced one, and to many who have, the sensation is anything but pleasant. But they are trifles compared with the terrible thunder-storms and hurricanes that prevail on the other side of the continent. Hundreds of people are killed by lightning there, to every one that loses his life by earthquakes here. The thunder-storms and tornadoes have this advantage, however: they send their warning signals of gathering, skurrying clouds ahead, to prepare people for the dire disaster which may soon follow. The earthquake steals upon one when he least expects it. A sudden jarring of the earth, with perhaps a deep rumbling noise, followed by a quick, oscillating motion, which dies away in a gentle tremulous vibration, and all is quiet. The shock seldom lasts longer than eight or ten seconds. Many months sometimes intervene between these earth shocks, and then again we have known several to occur in a single day. For the last ten years they have been rare.

The heaviest shock experienced in this county since its occupation by Americans was on October 21, 1868, when several buildings were more or less injured. The shock extended for several hundred miles along the coast, caused considerable damage to property in San Francisco and other places, and taught architects the necessity of improving their methods of building, by bracing and strengthening their walls in a more secure manner. In the construction of chimneys, also, galvanized iron has been substituted largely for brick. Wooden buildings are considered earthquake proof. They are seldom damaged to any considerable extent by the shocks.

There are various theories concerning the reason of these disturbances, which at present, however, are mainly speculative. It is possible that scientific research may eventually fathom the cause, if not provide a remedy. The electric theory has many advocates. In other countries the equilibrium of the upper air currents of electricity and those of the earth is established and brought about through the medium of cloud conductors, as witnessed in the lightning's flash followed by the thunder peal. Here there are no cloud conductors during the Summer months. The earth, it is supposed, becomes overcharged with electricity, which seeks an equilibrium with the upper air currents; hence the disturbance. This theory is strengthened by the fact that earthquakes usually occur in the Fall of the year when the clouds begin to gather and the air becomes filled with moisture. "Good earthquake weather," is what old residents designate a warm, cloudy day

preceding the Winter rains. The "internal fire" theory has also its advocates. But whatever may be the cause, we much prefer an occasional earthquake to the frequent electrical disturbances that cause so much disaster to life and property in the Atlantic States.

ABORIGINES.—The beautiful valleys and mountain recesses of the Contra Costa afforded a grand home for the aboriginal tribes. Here they swarmed in large numbers, went through the drama of life, birth, consorting and death, with an almost stolid indifference. How far back in the course of time this race extends, or whence came their progenitors, no man knoweth. If, as some scientists assert, the very first evidences of the human race appear on the Pacific Coast (at Angel's Camp, Tuolumne County), why should we doubt that they are the descendants of this primitive race? Wars, disease, natural phenomena, and other causes have conspired to destroy the original race from the face of the earth, or it may have remained for the pale-faced progeny of a kindred, yet far removed race, to perform the final act in the great drama of their existence as a people. Be that as it may, the great fact still remains, that when the Caucasians came to this coast they found it inhabited by a race of copper-colored people of peculiar physique and habits, differing widely from their brethren of the East, the Alonquins. The district now known as Contra Costa was no exception to the general rule, but was infested by a horde of these rude barbarians. To describe this people, their habits and customs, will be the object of the following remarks.

It is generally supposed that the Contra Costa was originally inhabited by four tribes of Indians, called Juchiyunes, Acalanes, Bolgones, and Carquinez, who were, all in all, a degraded race. Dr. Marsh described them as stoutly built and heavy limbed, as hairy as Esau, and with beards that would gain for a Turk honor in his own country. They had short, broad faces, wide mouths, thick lips, broad noses, and extremely low foreheads, the hair of the head, in some cases, nearly meeting the eyebrows, while a few had that peculiar conformation of the eye so remarkable in the Chinese and Tartar races, and entirely different from the common American Indian, or the Polynesian. He states further, "The general expression of the wild Indian has nothing of the proud and lofty bearing, or the haughtiness and ferocity so often seen east of the mountains. It is more commonly indicative of timidity and stupidity. The men and children are absolutely and entirely naked, and the dress of the women is the least possible or conceivable remove from nudity. Their food varies with the season. In February and March they live on grass and herbage; clover and wild pea-vine are among the best kind of their pasturage. I have often seen hundreds of them grazing together in a meadow like so many cattle. [If Doctor Boudi- not only knew this fact, he would undoubtedly start a new theory that they

are the descendants of Nebuchadnezzar.] They are very poor hunters of the larger animals, but very skillful in making and managing nets for fish and food. They also collect in their season great quantities of the seed of various grasses, which are particularly abundant. Acorns are another principal article of food, which are larger, more abundant, and of better quality than I have seen elsewhere. The Californian is not more different from the tribes east of the mountains in his physical than in his moral and intellectual qualities. They are easily domesticated, not averse to labor, have a natural aptitude to learn mechanical trades, and, I believe, universally a fondness for music and a facility in acquiring it. * * * They are not nearly so much addicted to intoxication as is common to other Indians. I was for some years of the opinion that they were of an entirely different race from those east of the mountains, and they certainly have but little similarity. The only thing that caused me to think differently is that they have the same Moccasin game that is so common on the Mississippi, and what is more remarkable, they accompany it by singing precisely the same tune. The diversity of language among them is very great. It is seldom an Indian can understand another who lives fifty miles distant; within the limits of California are at least a hundred dialects, apparently entirely dissimilar. Few or no white persons have taken any pains to learn them, as there are individuals in all the tribes which have any communication with the settlements who speak Spanish. The children when caught young are most easily domesticated, and manifest a great aptitude to learn whatever is taught them; when taken into Spanish families and treated with kindness, in a few months they learn the language and habits of their masters. When they come to maturity they show no disposition to return to the savage state. The mind of the wild Indian, of whatever age, appears to be a *tabula rasa*, on which no impressions, except those of mere animal nature, have been made, and ready to receive any impress whatever. I remember a remark of yours (Mr. Cass) some years ago, that 'Indians were only grown up children.' Here we have a real race of infants. In many recent instances when a family of white people have taken a farm in the vicinity of an Indian village, in a short time they would have the whole tribe for willing serfs. They submit to flagellation with more humility than the negroes. Nothing more is necessary for their complete subjugation but kindness in the beginning, and a little well-timed severity when manifestly deserved. It is common for the white man to ask the Indian, when the latter has committed any fault, how many lashes he thinks he deserves. The Indian with a simplicity and humility almost inconceivable, replies ten or twenty, according to his opinion of the magnitude of the offense. The white man then orders another Indian to inflict the punishment, which is received without the least sign of resentment or discontent. This I have myself witnessed or I could hardly have believed it. Throughout all

California the Indians are the principal laborers; without them the business of the country could hardly be carried on."*

The tribes inhabiting the Contra Costa did not differ materially from the others inhabiting this section of the State, as they presented very similar characteristics, habits and customs to those of the central portion of California. They were lazy and filthy, Dr. Marsh's assertion to the contrary notwithstanding, while, as to home, they were among the *fugitivi et vagabondi* class. Nature had provided for them with a lavish hand, and all they had to do was to reach forth their hands, pluck and eat. No vain ambitions lured them on in the great race of life; no baubles of riches enticed them into hardships of labor, either mental or physical. They lived to die. Whence or why they came upon the scene of action, it was not theirs to inquire; and, "whither are we drifting?" was a question over which they stopped not to puzzle their dull brains. And who shall say that they were not as happy in their listless life as are we of the higher type who wrestle with the inevitable almost from our infancy to our dotage? From an ethical point of view, and looking at the matter through the lenses of education, of course it could be said that their lives were worse than wasted; and when they vanished before the overwhelming tide of civilization, the world was rid of so much filth. But it is the old fable of the man and the lion repeated: seeing a picture of a man, the man remarked to the lion that "there stood the lord of creation." The lion asked who painted the picture, to which the man replied, "I did." "Ah!" said the lion, "it makes all the difference in the world who paints the picture of the lord of creation; I should have painted a lion." And so it is in this case. Indian ethics are not our ideas of duty to self or man; and it is not improbable that they lived up to the light they had on that subject quite as near as do their successors.

In regard to their costume, we have already said that it was of the most primitive nature, a slight strip of covering around the loins being full dress; but even this was not usual, for the greater number preferred walking abroad perfectly unclothed. During the Winter the skin of a deer or other animal, or else a robe manufactured out of the feathers of water-fowl, or strips of other skin twisted together, formed the required protection against the inclement weather, yet such was their stupendous laziness that sometimes naught protected them from the chilly blasts but a thick covering of mud, an inexpensive garment at best. The wardrobe of the women was little more extensive, a fringed apron of *tules* falling from the waist before and behind, and open at the sides, being their Summer costume, while in the cold season a deer skin was added. Tattooing is said to have been common within narrow limits among the females, and by these marks were the women of different tribes distinguishable.

* Letter of Dr. John Marsh of Contra Costa County, to Hon Lewis Cass, 1846.

Nearly as primitive as their costume were their dwellings, which in Summer was a protection of branches, and in Winter, a wickeup. Of these latter Bancroft's Native Races says: "These are sometimes erected on the level ground, but more frequently over an excavation three or four feet deep, and varying from ten to thirty feet in diameter. Round the brink of this hole willow poles are sunk upright in the ground and the tops drawn together, forming a conical structure, or the upper ends are bent over and driven into the earth on the opposite side of the pit, thus giving the hut a semi-globular shape. Bushes, or strips of bark, are then piled up against the poles, and the whole is covered with a thick layer of earth or mud. In some instances the interstices of the frame are filled by twigs woven crosswise, over and under, between the poles, and the outside covering is of *tule* reeds instead of earth. A hole at the top gives egress to the smoke, and a small opening close to the ground admits the occupants.

"Each hut generally shelters a whole family of relations by blood and marriage, so that the dimensions of the habitation depend on the size of the family."

It strikes us as a curious fact that the natives who roamed around the Bay of San Francisco had no canoes but used bundles of *tules* lashed firmly together, about ten feet long, and pointed at both ends, as a means of navigation. They were tolerably dry in calm weather on a river, but when rough, the paddler, who sat astride of them, was up to his waist in water, still, when needed, they would venture far out to sea on these. Indeed, it is asserted that the Indians of California, previous to the occupation by the Jesuit Fathers, had no other boats than those mentioned above, which were in use even at as late a date as 1840. Says Mr. Bancroft: "The probable cause of the absence of boats in Central California is the scarcity of suitable, favorably located timber. Doubtless if the banks of the Sacramento and the shores of San Francisco Bay had been lined with large straight pine or fir trees, their waters would have been filled with canoes; yet after all, this is but a poor excuse; for not only on the hills and mountains, at a little distance from the water, are forests of fine trees, but quantities of driftwood come floating down every stream during the rainy season, out of which surely sufficient material could be secured for some sort of boats."

Of their language, but little is left. Here and there a word has fastened itself upon some ranch or town, and will be handed down through a few generations. It was a deep gutteral, not unlike that spoken by the natives of Southern China, but that there is any philological relation between the two tongues we will not venture to assert, still there is a sufficient resemblance to occupy the mind of the studiously inclined.

A short half-century has sufficed to see this race become so entirely extinct that the sight of an Indian is almost a rarity. And what has done

this? Disease was the prime cause, for it is stated that cholera took them off by thousands in 1833, while it is said they died so fast that the living were unable to care for the dead. Whole tribes became extinct, it being reported by a traveler on the Sacramento River that all of one tribe died within a few days except a little girl. Then came war with its kindred calamities as another great decimator of their ranks. Contact with civilization had also much to do with it. Soon after the whites came among them, prostitution became general; the women no longer bore children, and thus the tribe gradually, but surely, died out, and no little ones grew to take the place of the deceased elders. Truly would it appear to have been a matter of destiny, for it was impossible that the two races could exist in contingency.

For disease their great "cure-all" was the sweat-bath, which was taken in the "sweat-house," which institution was to be found in every *rancheria*. A fire being lighted in the center of the temescal, (the term applied to the native sweat-houses by the Franciscan Fathers), the patient is taken within and kept in a high state of perspiration for several hours; he then rushes out and plunges into the convenient stream on the bank of which the structure is always raised—a remedy, whether more potent to kill or to cure, we leave to the decision of the reader.

The following graphic description of the experiences of a gentleman in a temescal, we give to the reader as a truthful and racily told adventure:

"A sweat-house is of the shape of an inverted bowl, and is generally about forty feet in diameter at the bottom, and is built of strong poles and branches of trees, covered with earth to prevent the escape of heat. There is a small hole near the ground, large enough for Diggers to creep in, one at a time, and another at the top to give out the smoke. When a dance, a large fire is kindled in the center of the edifice, and the crowd assembles, the white spectators crawling in and seating themselves anywhere out of the way. The apertures, both above and below, are then closed, and the dancers take their positions.

"Four and twenty squaws, *en dishabille*, on one side of the fire, and as many hombres, *in puris naturalibus*, on the other. Simultaneously with the commencement of the dancing, which is a kind of shuffling hobble-de-hoy, the 'music' bursts forth. Yes, music fit to raise the dead. A whole legion of devils broke loose. Such screaming, shrieking, yelling and roaring was never before heard since the foundation of the world. A thousand cross-cut saws, filed by steam power—a multitude of tom-cats lashed together and flung over a clothes-line—innumerable pigs under a gate—all combined would produce a heavenly melody compared with it. Yet this uproar, deafening as it is, might possibly be endured, but another sense soon comes to be saluted. Talk of the thousand stinks of the 'City of Cologne.' Here are at least forty thousand combined in one grand overwhelming stench,

Yours Truly
Wm W Smith

and yet every particular odor distinctly definable. Round about the roaring fire the Indians go capering, jumping and screaming, with the perspiration streaming from every pore. The spectators look on until the air grows thick and heavy, and a sense of oppressing suffocation overcomes them, when they make a simultaneous rush at the door for self-protection. Judge their astonishment, terror and dismay to find it fastened securely—bolted and barred on the outside. They rush frantically around the walls in hope to discover some weak point through which they may find egress, but the house seems to have been constructed purposely to frustrate such attempts. More furious than caged lions, they rush bodily against the sides but the stout poles resist every onset. Our army swore terribly in Flanders, but even my uncle Toby himself would stand aghast were he here now.

"There is no alternative but to sit down, in hopes that the troop of naked fiends will soon cease from sheer exhaustion. Vain expectation! The uproar but increases in fury, the fire waxes hotter and hotter, and they seem to be preparing for fresh exhibitions of their powers. The combat deepens. On ye brave! See that wild Indian, a newly elected captain, as with glaring eyes, blazing face, and complexion like that of a boiled lobster, he tosses his arms wildly aloft as in pursuit of imaginary devils, while rivers of perspiration roll down his naked frame. Was ever the human body thrown into such contortions before? Another effort of that kind, and his whole vertebral column must certainly come down with a crash! Another such convulsion, and his limbs will assuredly be torn asunder, and the disjointed members fly to the four points of the compass! Can the human frame endure this much longer? The heat is equal to that of a bake-oven; temperature five hundred degrees Fahrenheit! Pressure of steam one thousand pounds to the square inch! The reeking atmosphere has become almost palpable, and the victimized audience are absolutely gasping for life. Millions for a cubic inch of fresh air! Worlds for a drop of fresh water to cool the parched tongue! This is terrible. To meet one's fate among the white caps of the lake, in a swamped canoe, or to sink down on the bald mountain's brow, worn out by famine, fatigue and exposure, were glorious; but to die here, suffocating in a solution of human perspiration, carbonic acid gas and charcoal smoke, is horrible! The idea is absolutely appalling. But there is no avail. Assistance might as well be sought from a legion of unchained imps as from a troop of Indians maddened by excitement.

"Death shows his visage not more than five minutes distant. The fire glimmers away leagues off. The uproar dies in the subdued rumble of a remote cataract, and respiration becomes slower and more labored. The whole system is sinking into utter insensibility, and all hope of relief has departed, when suddenly, with a grand triumphal crash, similar to that with

which the ghosts closed their orgies when they doused the lights and started in pursuit of Tam O'Shanter and his old gray mare, the uproar ceases, and the Indians vanish through an aperture opened for that purpose. The half-dead victims to their own curiosity dash through it like an arrow, and in a moment more are drawing in whole buckets full of the cold, frosty air, every inhalation of which cuts the lungs like a knife, and thrills the system like an electric shock. They are in time to see the Indians plunge headlong into the ice-cold water of a neighboring stream, and crawl out and sink down on the banks, utterly exhausted. This is the last act of the drama, the grand climax, and the fandango is over."

With the Indians of the Bay of San Francisco, the practice of burning their dead, with everything belonging to them, was universal, while those farther south *buried* theirs. Weird is this scene of incremation. Gathered in a circle around the funeral pyre are the friends and relatives of the deceased, howling in dismal discord; as the flames extend, so increases their enthusiasm, until, in an ecstasy of excitement, they leap, shriek, lacerate their bodies, and go so far as to tear a handful of the burning flesh from off the smoldering body, and devour it. As a badge of mourning they smeared their faces with a compound of the ashes of the dead, and grease, where it was allowed to remain for Time to efface.

As is natural to suppose, the theme which we now leave with the reader is endless, therefore we are unable to follow it out as it should be; still, a work of the nature which we now offer is hardly the place to look for aught but a short notice of California's aboriginals. Where can such be better found than in the pages of the profound and elaborate work of Mr. Bancroft on the Native Races of the Pacific States of North America!

THE MOUNT DIABLO COAL FIELD.

BY THOMAS A. McMAHON, COUNTY SURVEYOR.

The Clark Vein—Faults and Disturbances—Ventilation—Peacock and San Francisco Mines—Central or Stewart's Mine—Empire Mine—Teutonia Mine—Rancho de los Meganos Coal Mines.

BY THE PHRASE "MOUNT DIABLO COAL FIELD," may be included a belt of country extending from the north central part of T. 1 N., R. 1 E. southeasterly to the central part of T. 1 N., R. 2 E., Mount Diablo base and meridian. The area of this field which has been profitably worked is confined to a more limited extent. The details of this outline of crop are very irregular, especially in the western portion of the field, where the hills are very high and the cañons deep and steep. The general course of the outline of crop may be traced as follows: Beginning in the N. E. quarter of section 7, T. 1 N., R. 1 E., Mount Diablo base and meridian. Thence in a northeasterly direction, but curving very rapidly towards the east till you reach a point in the N. W. quarter of section 8, T. 1 N., R. 1 E. Thence in an almost due east direction to a point near the dividing line between sections 10 and 11, T. 1 N., R. 1 E. From this point it bends to the south, crossing the southern half of section 12 and across the southwest corner of section 7, T. 1 N., R. 2 E. Thence in an irregular southeasterly direction as far as the Brentwood Mines, upon the Rancho Los Meganos, near the line between sections 22 and 27, T. 1 N., R. 2 E., Mount Diablo Meridian. Beyond this point the beds have not been traced with any degree of certainty, although traces and outcroppings have been found in many localities to the southeast. The dip throughout is in a northerly direction, but it varies in amount at different localities, varying from twelve to thirty-three degrees, being in highest the western portion of the field.

The culminating points of the hills in the western part of this coal field are at an altitude of from fifteen to eighteen hundred feet. Running east, the hills diminish in height, falling lower and lower until we reach the Brentwood Mines, which are at an altitude of about two hundred feet above tide level. This range of hills is scored deeply and in all directions by cañons, in which all the profitable mines are located. The strata have been

considerably disturbed at different localities by faults of greater or less magnitude, and the coal beds themselves have been subject to such variations in thickness and the character of the rocks which surround them, that it is impossible, with the present amount of knowledge, to recognize any single bed in the eastern portion of the field as the same which has been so extensively worked in the western portion. The area within which the mines have been profitably worked lies within the western portion of the field. It lies among the higher hills, and includes a belt about four miles in length, extending from the Black Diamond works, in the N. E. quarter of section 7, through to Pittsburg, Empire and Central. The Central (*i. e.*, Stewart's mine) has not been included within the profitable productive limits until within the last year. Heretofore many thousand tons were taken out of the last-mentioned mine at a loss, but at present the reverse is the case. The chief openings of these mines, as well as the dwellings of the miners, owing to the topography of the country, are located at three points, situated about a mile apart. The first of these, beginning in the western portion of the field, is the village of Nortonville, which is located on the S. E. quarter of section 5, T. 1. N., R. 1 E. The second, known as Somersville, is chiefly on the S. E. quarter of section 4. The third, known as "Central" or Stewartsville, is located on section 10. Each village is in the bottom of an amphitheatre amongst the hills and at the head of a deep cañon; the cañons from Somersville and Nortonville running to the north, and from Stewartsville in a southerly direction, turning to the north and uniting with the cañon leading from the Empire Mine. Down each of these cañons there runs a railroad to the point of shipment on the San Joaquin River; the Black Diamond running to Black Diamond Landing; the road from Somersville running to Pittsburg Landing. The road from Stewartsville joins with the road from Empire at Judsonville, thence to Antioch. These roads cross the railroad of the San Pablo and Tulare Railroad Company, from which point of intersection considerable coal is transported, but the greater portion is shipped on barges from the points of transportation on the San Joaquin River. The villages of Empire, Stewartsville, Somersville and Nortonville are situated at an elevation of from three hundred and fifty to eight hundred and fifty feet above tide level, the grade of the road from the last-mentioned points being very great, depending only on the force of gravity as power for transporting the coal in cars to the point of shipment.

The rocks which inclose the mines consist of grayish and reddish siliceous sandstone, alternating with a strata of clay rock. The coal beds which have been heretofore profitably worked are three in number, and are known as the "Clark Vein," the "Little Vein," and the "Black Diamond Vein." Of these, the "Clark Vein" is highest in stratigraphical position. Next in order below comes the "Little Vein," and still lower we find the "Black

Diamond Vein." In the Clayton tunnel, situated at Nortonville, the distance from the floor of the "Clark Vein" to the roof of the "Black Diamond Vein" is six hundred and ninety-six feet. The dip here being about 31°, it follows that the total thickness of the strata, including the Little Vein, between the Clark and Black Diamond Veins, is three hundred and fifty-nine feet. These veins are found throughout all the mines, the Clark Vein predominating.

THE CLARK VEIN.—This vein has been worked continuously throughout all the mines. It varies in thickness at different points, from a minimum of eighteen or twenty inches to a maximum of four and a half feet. The greatest variations in the thickness of this bed do not occur within the limits of the Black Diamond, the minimum being twenty-eight inches and the maximum being thirty-nine inches. As it extends east it grows thinner, and reaches in the S. W. quarter of section 4 a minimum of from eighteen to twenty-four inches. As it extends farther east to the S. E. quarter of section 4 it gradually increases in size, being at this point from three to four feet in thickness, and reaches its maximum in the Pittsburg mine, where it is four and a half feet. The Clark Vein is generally free from interstratification of slate or dirt of any kind, and with the exception of a portion near the S. W. corner of section 5, where it has been badly crushed by the moving and bending of the strata, it generally makes good clean coal. Its roof and floor are generally good, and require but little timbering, it being of good, solid sandstone.

The chief openings to the Clark Vein are the Black Diamond Company's openings, of which there are three. The first of these is known as the "Little Slope," the second is the "Mount Hope Slope," and third the "Black Diamond Shaft." Second, the "Union Company's Slope." Third, the slope of the old Eureka Company. Fourth, the "Pittsburg Slope." Fifth, the "Independent Shaft."

The mouth of the "Hoisting Slope" of the Black Diamond Company is situated in the bottom of a deep ravine, which runs up southwesterly among the hills, and is eight hundred and thirty feet above low water mark on the San Joaquin River. This slope is ninety-eight feet long, and goes down through the Clark Vein at a pitch of about 35°.

The mouth of the "Mount Hope Slope" is situated about four hundred and fifty feet northeasterly from the mouth of the "Hoisting Slope," and is seven hundred and ninety-seven feet above low water mark on the San Joaquin River. This slope is two hundred and ninety-three feet long, to the Clark Vein, and has a pitch to the south of about 37° 15'. From its foot the "Mount Hope Gangway" runs east and west through the Clark Vein, and is over a mile in length.

The "Black Diamond shaft" is situated six hundred and twenty feet

northwesterly from the mouth of the "Mount Hope slope." It is vertical and its mouth is eight hundred and thirty-nine feet above low water mark.

The mouth of the "Union Company's slope" is situated very close to the line between the S. E. and the S. W. quarters of section 4, and is eight hundred and sixty-six feet above low water mark on the San Joaquin River. The slope is four hundred and seventeen feet long to the "Clark vein," with a pitch of 37° 45′ to the south. From its foot a gangway runs east and west through the Clark vein.

From a point on this gangway, two hundred and forty-four feet west of the foot of this slope, a counter slope runs down, with a pitch of 28° 23′ to the north, three hundred and four feet to a second gangway, and then about three hundred feet to another gangway. The old Eureka slope was about two hundred and ninety feet long, with an average pitch of 43° 15′ to the south; its mouth is seven hundred and eighty-six feet above low water mark.

The Pittsburg slope is in the southeast corner of section 4. Its mouth is eight hundred and thirty-eight feet above low water mark. Its pitch, 25° 50′ west of south, and is two hundred and forty feet long to the Clark vein. From its foot a gangway runs in both directions through the company's property. From a point on this gangway, twenty-five feet west of the foot of the Surface slope, a counter slope runs down on the dip about eight hundred feet, with a pitch of 31° 30′.

There are, however, two intermediate gangways, one at a point three hundred feet, and the other at a point five hundred and seventy-nine feet down from the head of the counter slope. In the eastern part of this mine and distant nearly a quarter of a mile from the foot of the surface slope, there is another counter slope running down from the upper gangway to the second one.

The Independent shaft is a vertical shaft sunk by the now defunct Independent Company, at a point a little S. W. from the center of the N. E. quarter of the S. E. quarter of section 4. Its mouth is seven hundred and nineteen feet above low water mark, and it is seven hundred and ten feet deep. This mine was worked at a great loss and was finally abandoned.

Faults and Disturbances. Throughout the Mount Diablo coal mines the beds are frequently more or less disturbed by faults and dislocations, some of them being of great magnitude.

These disturbances are generally most sharply defined in the Clark vein. The longest distance which occurs anywhere in the mines without any fault or disturbance of noticeable magnitude, is a distance of about two thousand feet on the Clark vein stretching east from the Black Diamond into the Union mine. Most of the larger faults of these mines have a northeasterly and southwesterly course, the plane dipping at a steep angle

to the northwest. With reference to the direction of those in the faults, the general law holds pretty well throughout these mines, that where the plane of a fault is inclined from the vertical, it is the hanging wall of the fault that has gone down. This law, though general, is not universal, as cases occur where the throw is in the opposite direction.

The general line of strike of the beds, in spite of all faults and disturbances, is very straight for a distance of nearly a mile and a half in a direction of about N. 86° E. from the Pittsburg slope, to a point about as far west as the middle of section 5, and within this distance the dip does not vary greatly from 30°, ranging in general from 28° to 32°. But going west from the middle line of sections 5 and 8 the beds and strata curve around in a gentle sweep to the south, while at the same time their dip diminishes until it does not exceed 20°.

The general form of the beds as they lie in this shape is that of warped surfaces, which produces a gradual increase in the height of all the lifts in going toward the west.

VENTILATION.—In mines situated as these are amongst the deep cañons and high hills, there is generally great difficulty in securing good ventilation, which is a necessary adjunct to the working of the mines. Artificial means have been resorted to, and not until lately with any success. The water being supersaturated to such an excess of Sulphuretted Hydrogen, that on exposure to the air it forms white deposits of sulphur, and the gas escaping causes a bad effect on the eyes. One method used at the mines for ventilation was the keeping of lighted fires at the bottom of the ventilating shafts, which heated the air and kept it in rapid circulation.

Chloride of lime was used for the purpose of decomposing and absorbing the deleterious gases, but it did not accomplish the work; its odor being very disagreeable, this method had to be abandoned finally. Then one of the largest sizes of Root's patent rotary blowers was obtained. This was driven by a small engine, the air was forced through a pipe down the Black Diamond shaft, and after its course through the mines, found its exit through the Mount Hope gangway. This method worked very well, but it was not complete. Another method was resorted to; instead of forcing the air down through the mines and out, this principle was reversed, and the air was exhausted from the mines; this was an improvement on the other, yet enough gas remains still to make it disagreeable to those working in them.

There is but little fire damp in these mines, yet occasionally a locality is found which requires close watching, but not enough shows itself to require the use of the safety lamp, this being used only as a test for the fire damp. Numerous small casualities have occurred from the presence of fire damp, which only resulted in the severe burning and occasionally in

the death of one or two men. But it was all owing to the gross carelessness of the miners going into those parts of the mines that had not been worked for some time, and where they might have expected to find the fire damp, if they had reflected but a moment.

PEACOCK AND SAN FRANCISCO MINES.—To the west of the Black Diamond Company's mines for a distance of a mile or two there has been considerable prospecting done in years past, but the above mines are the only ones worth mentioning. The "Peacock" mine is situated on the Black Diamond bed. The San Francisco mine is situated about half a mile west of the Peacock mine; this mine is also on the Black Diamond bed, but neither have been profitably worked.

CENTRAL OR STEWART'S MINE.—This mine is over the ridge and easterly from Somersville, and is situated in a steep and narrow ridge running east and west across section 10. It was originally opened by a tunnel, its length to the Clark bed being about one thousand feet. There are exposed in this tunnel beneath the Clark bed four distinct seams of coal of different thicknesses. In 1870 a gangway was driven in on the Clark bed two hundred and seventy-five feet east and three hundred and seventy-five feet west from the tunnel and considerable coal extracted, the bed averaging thirty-nine inches in thickness. Since that time a tunnel has been driven in Stewart's mine from the Clark bed northerly through the ridge, and to daylight on the other side.

EMPIRE MINE.—This mine is located on the southwest quarter of the southeast quarter of section 12, and is about four hundred feet above tide mark on the San Joaquin River.

What information we have been able to glean on this mine will be found in the History of Township Number Five.

TEUTONIA MINE.—Passing east from the Empire mine we come to the Teutonia mine, in the south part of the S. W. quarter of section 7, T. 1 N., R. 2 E., the mouth of the mine being about one hundred and fifty feet north of the section line. Considerable work was done on this mine and a large amount of coal was found, the seam being about thirty-six inches thick, but it was finally abandoned.

RANCHO DE LOS MEGANOS COAL MINES.—The mines on this ranch are situated just on the edge of the Mount Diablo foot hills, at a point some five miles easterly from the Mount Diablo mines, and at an elevation of about one hundred and sixty feet above tide mark on the San Joaquin

River. The parties who commenced to develop this property ran a slope from the outcrop down a vein about three and a half feet in thickness, and one hundred and seventy-five feet in length. The dip of the vein is about N. 35° E., and at an angle of 18° to the horizon. A shaft was then sunk one thousand three hundred and seventy-five feet N. 70° 45′ E. from the mouth of the slope. This shaft is four hundred feet in depth, and was divided into three compartments, two for hoisting coal and one for pumping purposes. Some work has been done in the mine since, but it has not been operated for market purposes. The distance to a suitable landing on the San Joaquin is about seven and three-fourths miles. With this mine the Mount Diablo coal fields may be said to terminate. No indications worth mentioning show themselves until we reach the Corral Hollow coal field.

THE EARLY HISTORY AND SETTLEMENT OF CONTRA COSTA COUNTY.

The Spanish, Mexican and American Periods.

The history of the Contra Costa dates back to the time when California was visited by the white race. The Pacific Ocean was given to the world by Vasco Nuñez de Balboa, who looked down from the heights of Panama upon its placid bosom on the twenty-fifth day of September, 1513. In 1519 Mexico was conquered by Hernando Cortez, and sixteen years thereafter, in 1537, his pilot, Zimenez, discovered Lower California. In 1542, a voyage of discovery was made along the Californian coast by the famous Captain Juan Rodriguez Cabrillo, on the 5th July of which year he landed at Cape St. Lucas, in Lower California, and following the coast he finally entered the delightful harbor of San Diego, in Upper California, September 28th. This place he named San Miguel, which was afterwards changed by Viscaiño to that which it now bears. It was not until the year 1602, however, that the Spaniards took any actual steps to possess and colonize the continent. In that year Don Sebastian Viscaiño was dispatched by the Viceroy of Mexico, acting under the instructions of his royal master, Philip III, on a voyage of search in three small vessels. He visited various points on the coast, among them San Diego, was well pleased with the appearance of the country, and on December 10th discovered and entered a harbor which he named in honor of Count de Monterey, the Viceroy who had dispatched him on the cruise.

We are told by the ancient historiographers that part of this expedition reached as high as the Columbia River, in Oregon, and that the whole subsequently returned to Acapulco, its efforts being pronounced satisfactory.

For some unexplained cause, not much use had been made of the information gained from these trips, which were of frequent occurrence, and it was not for one hundred and sixty-eight years that any steps towards the permanent settlement of Upper California were undertaken. Under the joint management of Church and State, a plan with this end in view was commenced in the year 1683, but it failed, the State being represented by Admiral Otondo, and the Church by a Jesuit Father named Kino, La Paz being their point of operation; but we are correct, we believe, in stat-

JOEL HARLAN.

ing that they did not all visit Upper California. The settlement of the peninsula was finally undertaken fourteen years later, when sixteen missionary establishments were founded by Father Salva Tierra. The order which he represented falling into disgrace in Europe, however, was banished from the dominions of Spain and Lower California in 1768, after laboring for seventy years. They were in turn succeeded by the Franciscans and Dominicans, the former of whom, under the guidance of Father Junipero Serra, proceeded to the conquest and conversion of this part of the country. This Reverend Father is recognized by the Roman Catholic Church as the Apostle of Upper California, and acknowledged in history as its founder.

The first permanent settlement in California, as we now know it, was made at San Diego in 1769, when was also established the first mission, whence further operations were directed and new missions founded.

The discovery of the Bay of San Francisco, which, with its contiguous sheets of water, bathes our western shores, was long a subject of dispute. Some have claimed the honor for Sir Francis Drake, who, in his famous marauding expedition of 1577–78–79, put into what was then, and long after, called the Port of San Francisco, and remained some weeks, refitting his ships. He called the country "New Albion," and took formal possession of it in the name of his sovereign, Queen Elizabeth, and as her representative accepted the allegiance of some of the native chiefs. In perpetual memory of this act of possession, the old chronicler relates that a wooden pillar was erected, to which was fixed a silver plate containing an engraved likeness of her Majesty, with the date. It was probably a redwood post with an English crown-piece, or perhaps a shilling, nailed fast to it, bearing her royal image and authenticated by the stamp of her mint. But that this Spanish Port of San Francisco, entered by Drake in 1578, wherein the Manilla galleon "San Augustine" was wrecked in 1595, and which Viscaiño also visited in 1603, is not the same which now bears the name, has been fairly established from ancient records recently brought to light by the California Historical Society, and has been definitely accepted by an authority no less distinguished than Professor George Davidson, of the United States Coast Survey. A description of it is to be found in an old Pacific Coast Pilot, written by Admiral José Gonzales Cabrera Bruno, and published in Manilla in 1734. It is there located immediately under the lea of Point Reyes, and corresponds perfectly with that now termed Sir Francis Drake's Bay.

The present Bay of San Francisco remained unknown down to the year 1769, when José Galvez, the Visitor-General of New Spain, determined on the occupation of Upper California. For this purpose two expeditions were simultaneously dispatched from Lower California, the one by land, the other by sea. The overland one, under the command of Don Gaspar de Portala, the first Governor of California, reached San Diego on the first of July, in

the year named, and after a short rest there, resumed its northward march on the 14th of the same month. Two schooners, the "San José" and the "Principe," had been directed to follow up the coast, and a *rendezvous* appointed at the Bay of Monterey, described by Viscaiño as a magnificent port, and which Galvez designed to occupy as the base of his new colony.

After numerous vicissitudes Portala's expedition descending the valley of the Salinas reached its mouth October 1st. Unable on a hasty *reconnaissance* to find the "magnificent port" described by Viscaiño, and misled by a fog-bank into the belief of another headland immediately north of Point Año Nuevo (now the extreme southwestern point of San Mateo county), the adventurers continued their journey, and, on the 30th of the month, reached Point Corral de Tierra and camped on the site of the present town of Half Moon Bay. The headland to the west of them Father Crespi, the chaplain of the expedition, called Point "Guardian Angel," but the more worldly-minded soldiers, from the abundance of mussels found there, gave it the name of Punta de Almeja or Mussel Point.

In attempting to go further up the coast the ascent of the first ridge revealed to the observers of the expedition, far to the north-northwest, Point Reyes, with the Bay of San Francisco under its lee, and the Farralones to seaward, and confirmed the doubts which had, for the past month, distracted the leaders of the party, whether they had not long since passed by the famous port of Monterey, without finding it. A halt was called and a counter-march decided on. But, preliminary to returning from their unsuccessful search, Sergeant Ortega, with a party of soldiers, was dispatched over the hills to the northeast, to explore and report on the character of the country to be found there. Three days were allowed for this examination, and in the meantime the men were permitted to hunt at discretion through the neighboring hills. On the evening of November 2d some of these hunters returned announcing the discovery of an immense arm of the sea, stretching inland. This was confirmed on the following day by the return of Ortega's party, who announced their glad tidings in advance, by the discharge of musketry, waving of flags, etc.

Animated by this unlooked for intelligence, Portala broke up his camp on the following day and struck out over the hills to the northeastward. From the summit of these the party looked down on our noble bay, which, in their admiration, they termed another Mediterranean Sea. They turned southward, with the idea of getting round the head of the bay and so reaching Point Reyes and the harbor of San Francisco, lost for one hundred and sixty-seven years. On the evening of November 6th they encamped on the northerly bank of the San Francisquito Creek, not far from where Governor Stanford's house now stands. Explorers were again sent out, but as these reported that the bay again became wide and extended to an unknown distance southeastwardly, alarm at the rashness of their undertaking began to prevail, and

they arrested their march. In fact their powers were spent, and it was well they decided to tempt no more; for, to have pursued their journey further, in their exhausted condition might have resulted in the loss of their whole party. The discoveries they had made it was important to preserve. Their provisions were almost exhausted; several of their number had died, and more than half the remainder were down with scurvy; the native inhabitants showed signs of hostility, and the Winter of an unknown region was at hand. A council was again called, and it was voted unanimously to retrace their steps. Governor Portala would indeed still have pushed on, but yielded to the unanimous voice of his companions, and on November 11, 1769, they commenced their homeward march.

All their meat and vegetables had long been consumed, and their ammunition was nearly exhausted. Their allowance of food was reduced to five small *tortillas* a day. These, with shell-fish obtained on the sea shore, acorns and pine nuts gathered by the way, or furnished by friendly Indians, and an occasional wild goose killed with a stick, furnished the staple of their poor food, as they toiled over their weary homeward march. They reached Point Pinos again on the 27th November, and notwithstanding their distressed condition remained there till the 9th December, searching in vain up and down the coast for that famous harbor of Monterey which Viscaíño had described in such glowing terms. Point Pinos, indeed, they recognized from its description and the latitude assigned to it; but nothing else could they find corresponding to the description of the bay they were in search of. In despair they at last concluded that the harbor must have been filled up by sand or obliterated by some convulsion of nature. All hope of meeting the schooners from whose stores they might have obtained succor, was abandoned; and on the 9th of December they sadly prepared to renew their toilsome and dreary march towards San Diego.

Before starting they erected on the south side of Point Pinos a large wooden cross, on which was rudely carved the words, "*Dig at the foot of this and you will find a writing;*" and at its foot accordingly they buried a brief account of their journey. Its text as set forth in Father Crespi's diary, was as follows:—

"The overland expedition which left San Diego on the 14th of July, 1769, under the command of Don Gaspar de Portala, Governor of California, reached the channel of Santa Barbara on the 9th of August, and passed Point Conception on the 27th of the same month. It reached the Sierra de Santa Lucia, on September 13th, entered that range of mountains on the 17th, and emerged from them on the 1st of October; on the same day caught sight of Point Pinos and the harbor on its north and south sides, without discovering any indications of the Bay of Monterey. Determined to push on further in search of it, on the 30th of October we got sight of Point Reyes and the Farrallones at the Bay of San Francisco, which are seven in

number. The expedition strove to reach Point Reyes but was hindered by an immense arm of the sea which, extending to a great distance inland, compelled them to make an enormous circuit for that purpose. In consequence of this and other difficulties, the greatest being the absolute want of food, the expedition was compelled to turn back, believing that they must have passed the harbor of Monterey without discovering it. Started on return from the Bay of San Francisco, on November 11th, passed Point Año Nuevo on the 19th, and reached this point and harbor of Pinos on the 27th of the same month. From that date until the present 9th of December, we have used every effort to find the Bay of Monterey, searching the coast, notwithstanding its ruggedness, far and wide, but in vain. At last, undeceived and despairing of finding it after so many efforts, sufferings and labors, and having left of all our stock of provisions but fourteen small sacks of flour, we leave this place to-day for San Diego. I beg of Almighty God to guide us; and for you, traveler, who may read this, that He may guide you also to the harbor of Eternal Salvation.

"Done in this harbor of Pinos, this 9th of December, 1769.

"NOTE.—That Don Michael Constanzo, our engineer, observed the latitude of various places on the coast, and the same are as follows:—

"San Diego, at the camp of the overland expedition, 32° 42′.

"Indian village, at the east end of the channel of Santa Barbara, 34° 13′.

"Point Conception, 34° 30′.

"The southern foot of the Sierra de Santa Lucia, 35° 45′.

"Its northern extremity at this harbor and Point of Pinos, 36° 36′.

"Point Año Nuevo, which has low reefs of rocks, 36° 04′.*

"The land near the harbor of San Francisco, the Farrallones bearing west quarter north, 37° 35′.

"Point Reyes, which we discovered on the west northwest from the same place, supposed to be 37° 44′.

"If the commanders of the schooners, either the *San José* or the *Principe*, should reach this place within a few days after this date, on learning the contents of this writing and the distressed condition of this expedition, we beseech them to follow the coast down closely towards San Diego, so that if we should be happy enough to catch sight of them, we may be able to apprize them by signals, flags and firearms of this place in which succor and provisions may reach us.

"Glory be to God," says the pious old chronicler, "the cross was erected on a little hillock close to the beach of the small harbor, on the south side of Pinos, and at its foot we buried the letter." On the other side of the Point they erected another cross, and carved on its arms with a razor, the words: "The overland expedition from San Diego returned from this place on the 9th of December, 1769—starving."

* Probably an error in transcribing. The other latitudes are very nearly correct.

Their prayer for succor was, however, in vain; it never reached those to whom it was addressed. The schooners, after beating up to the latitude of Monterey, were compelled to turn back to the Santa Barbara channel, for want of water, and never reached the coveted port. They ultimately put back to San Diego, which they reached just in season to relieve that colony from starvation. The land expedition meanwhile prosecuted its weary march down the coast, encountering sickness, privation, and occasionally death, until on the 24th of January, 1770, it reached San Diego, whence it had started six months and ten days before.

Of the two missions established, those most connected with the Contra Costa were Santa Clara and San José, therefore let us give some account of their foundation.

In the month of September, 1776, His Excellency the Viceroy of Mexico, penned a communication to Don Fernando Rivera, the officer commanding at San Diego, informing him that he had received the intelligence that two missions had been founded in the vicinity of the Bay of San Francisco, and as the Commandante had been provided with the military guards for these, he would be happy to have his report. On the arrival of the dispatch Don Fernando, without loss of time, made arrangements for visiting the places designated, and placing the guards which he had retained at San Diego, in their proper quarters. After a long journey covering many days, he, with his twelve soldiers, arrived at Monterey, and there learned that only the Mission of San Francisco (Dolores, founded October 9, 1776) had been founded. Hence, he started for that place accompanied by Father Tomas de la Peña who, with another, had been appointed to perform the religious duties of the expedition. On their journey they came to the spot afterwards occupied by the Santa Clara Mission, and being captivated by its many charms and advantages, at once resolved there to locate a Mission. The party then continued their way to San Francisco, where they arrived on the 26th November. After visiting the presidio, as became a soldier, on the 30th the Commandante set out for Monterey, and dispatched Father Joseph Murguia, from the San Carlos Mission, where all the preparations had been made, accompanied by an escort and proper requirements, to found the new mission in the Santa Clara Valley, then known by the name of San Bernardino.

Towards the last days of the year 1776, the soldiers and their families who were to take part in the establishment of the new mission, arrived at San Francisco, and on January 6th Padre Peña, the officer in command of the presidio, the soldiers and their families, took up the line of march in quest of the chosen spot. Their first duty on reaching their destination was to erect a cross, which, with all solemnity, was blessed and adored; on January 12, 1777—one hundred and five years ago—an altar was raised under its outspread arms, and the first mass ever breathed in the district

was said by Father Tomas de la Peña. In a few days Father Murguia and his followers joined them with the necessary paraphernalia for a settlement, and on January 18, 1777, the formal ceremony took place.

Cannot the reader conjure up the picture we have so faintly outlined? Cannot he now see before him the devotional piety of the Holy Father Tomas, the respectful quiet of his followers, and the amazed gaze of the aboriginals; with what care the sacred emblem of the Cross is raised; with what reverential caution the building of the altar, sheltered as it is, is effected? No sound is heard save prayerful utterances, mayhap broken by grunts of astonishment from the bewildered natives who stand closely observing the holy work from a respectful distance. The names of Father Peña and Murguia must ever be held in welcome recognition of the part they took, far from society and kinsfolk, in founding a mission which has become a landmark for all time, in a valley where it would seem as if the Divine Hand had put forth its utmost skill to produce the fairest scene under the blue canopy of Heaven.

About seven years after the events above noted had taken place the holy Father Junipero Serra, President of the Missions of California, feeling that old age was fast overtaking him, as well as having some spare time, determined to visit some of the missions, to hold his last confirmations, and, having been invited to dedicate that of Santa Clara, also to perform that ceremony. About the first of May he visited the selected spot, and on the 4th continued his weary journey to San Francisco, accompanied by that devoted fellow-countryman Father Palou, a brother Franciscan Monk, a co-voyager to these shores, and afterwards his biographer, preferring to make his confirmations on his return. He had tarried in San Francisco but a few days when the distressing news of the illness of Father Murguia was received; he thereupon dispatched Father Palou to Santa Clara, who found Murguia sick of a low fever. Unhappily this worthy man never rallied, and on May 11, 1784, his soul took its flight, while naught was left to his followers but the consolation that

> "Death's but a path that must be trod,
> If man would ever pass to God."

The funeral took place, but the venerable Junipero was too enfeebled to attend; he, however, accompanied Don Pedro Fages, the Governor of the territory, to the dedicatory services of the mission, arriving on the 15th. On the meeting of the two Fathers their hearts were too full to speak; with eyes suffused in tears, they grasped each others hands, and finally in a silent embrace, each sent aloft a prayer to Him who had seen fit in His wisdom to take away their revered brother.

Of the life and death of Junipero Serra, much has been written; for the information of the reader, however, let us refer him to the subjoined paper which lately appeared in the *San Francisco Chronicle*, over the caption "N. V. S.":

MONTEREY, February 4, 1882.

In the hasty, anxious life which most Americans lead, it is generally supposed that there is little room or even desire for that pursuit to which so many residents of the Old World devote their lives, and that not from the hope of reward, but from pure love of it. I refer to the love of antiquities—that searching into the memories of the past which seems to have so powerful a charm for some minds. It is difficult to divine a reason for this, unless it be that the sight of relics of a former time excite the imagination to a train of thought so agreeably romantic that we are impelled again and again to seek the excitant, as the opium-eater returns to his drug. At any rate, the feeling exists and is latent in American breasts, only we have nothing for it to feed upon. I say *nothing*, but to-night I remembered that we have something when my eyes were attracted by the brilliant moonlight of Monterey striking full upon the white cross which marks the place where Father Junipero Serra first landed. The memory of a good man, who gave the labor of a long life solely to improve the state of his fellows certainly is sufficient to give to the finding of his bones a deep interest. Father Casanova, the present pastor of Monterey, is full of gratification with the result of his researches, and has kindly given some of the details of the discoveries.

The ancient records of the old Carmel Church were brought forth for our wondering eyes to gaze upon. They are, of course, yellow with age, and filled partly with the handwriting of Junipero himself, his signature standing out firm and clear, as if written but yesterday. These records contain quite an extended account of his death and burial, together with a description of the exact spot of interment. By means of this description Father Casanova was enabled to locate the grave of Junipero beyond a doubt, and thus made his recent discovery. The following is the passage referred to as translated:

Very Rev. Father Junipero Serra, D. D., President of all the Missions, died on the 29th of August, 1784, at the age of seventy-one years, and is buried in the sanctuary, fronting the altar of Our Lady of Seven Dolors, on the Gospel side.

There remained nothing but to face the altar of "Our Lady of Seven Dolors" in the sanctuary, and then commence digging next the altar on the Gospel side. That is what the workmen did, and their spades soon struck upon the stones covering the grave. Father Casanova produced a diagram illustrating the manner of formation of the grave and the condition in which it was found. Originally the floor of the church was composed of brick tiles. Tourists visiting the church admire these tiles so greatly that they even go to the trouble to dig them up, break them to pieces and carry away bits of them. In this connection he also stated that one visitor even went so far as to take his penknife and cut from the can-

vas a bouquet which was carried in the hand of a saint in one of the old paintings. This picture was much valued for its age and the association connected with it by the Padre and the parish; but such considerations are as nothing to the hard heart of one in whom the love of antiquities has taken such an evil turn.

As was said before, the floor of the church was composed of tiles. The graves were apparently constructed with great care, being plastered and hard-finished inside as neatly as the wall of a house. The coffin was lowered into this plastered opening, and then large slabs of stone were fitted carefully over it, in such a manner that they were exactly level with the tiles forming the floor of the church. The tiles had gradually become covered with a layer of *débris*, which it was the first task of the workmen to remove. Upon reaching the slabs of stone covering the grave of Father Junipero it was found that the three covering the upper part of the grave were intact, but that those over the lower part had for some reason given way, so that about one-half of the coffin had been exposed to decay. The skull and ribs were found within, however, excellently well preserved, considering the time that they have lain there. Clinging to the ribs were found considerable portions of the stole of violet silk, and its trimming of silver fringe, both blackened and crumbling with age. Upon being asked if he intends to pursue his investigations further, the Padre replied that he will certainly do so. In fact he has already reached the graves of two other priests, and also of two of the old Mexican Governors of California, who were buried, it seems, in the same part of the church, but on the opposite side of the altar. In the discovery of these he again went by the records, which pointed them out quite accurately.

The Padre says he intends to continue this search for these hallowed graves until he uncovers the whole of them, both of the Mission Fathers and of the Mexican Governors. As a large number are buried there, and as the work is prosecuted with care, it will probably be some time before a completion is reached. It is then the Padre's intention to have them properly replaced in the graves, the slabs of stone carefully arranged as they were originally, those wanting restored, and then to have each grave marked, so that in future they may be pointed out to visitors, with some account of the occupant of each. The Padre gave no hint of any such wish, but the thought crossed the mind of the correspondent that it would show good taste and feeling in the many wealthy Catholics who are doubtless to be found in California, if they would unite in the erection of a monument over the remains, worthy of the pioneer of their religion in California. The people of Monterey would gladly do this, but no doubt the lack of means prevents it. Junipero Serra was the founder of every Mission in California—twenty-one in all. His history, briefly recounted by his friend and fellow-student, Francisco Palou, in language, whose very simplicity bears

witness to its veracity, is such a one that every heart capable of appreciation of the unselfish and noble in character must be filled with the deepest admiration by it. Protestants as well as Catholics must give honor to a man to whom it is so unmistakably due. According to a Catholic custom, a record of all deaths in Monterey and the Carmel Mission was kept by Junipero himself from the year 1770 up to the time of his death, in 1784. Each was written in a strong, bold hand, with the signature "Fr. Junipero Serra" at the end. Upon his death this record was continued by his successors. He made his last entry on the 30th of July. On the 29th of August Fr. Francisco Palou entered upon the record the fact of his death, the narrative of his life and circumstances of his death.

According to this account Serra was born in the Province of Majorca, in Old Spain. He was a man of thorough education and unusual accomplishments. Before coming to California he had enjoyed the honors of high position both in Spain and Mexico. When only a little over nineteen years of age, he put on the dress of the Order of San Francisco. He was a graduate of the schools of theology and philosophy, and was given the professorship of each in a royal university. These positions he filled in the most highly honorable manner. At this time he was in the receipt of large revenues and had good prospects for advancement to almost any position that he might care to aspire to. But wordly ambition of this kind had no place in his soul. Brilliant prospects, a life of luxury, associations which were doubtless pleasant to a man of his culture—all this he chose to leave behind him for the purpose of entering upon a life of danger, toil and privation, for which he could only expect a reward after death. Perhaps even the hope of *that* reward influenced him less than the simple consciousness of duty. His first step was to resign his professorship. He then joined the College of Foreign Missions in Cadiz, probably because there he could obtain the most authentic information for the purpose which he had in view. In 1749 he embarked at Cadiz for Mexico. The voyage occupied the tedious period of nearly a year—long enough to have cooled the zeal of a less earnest man. He arrived in Mexico, January 1, 1750, with interest in his work unabated. At that time there were many missionary societies in Mexico, and Junipero was sent by them to prosecute the work in various directions, in each case exhibiting the same wonderful earnestness and peculiar adaptation to such a life. It was probably to this power which he possessed of throwing his whole soul into his labors that his success was mainly due. In Mexico he gained the friendship and close confidence of the Viceroy, and took position among the highest in the Church.

In 1767 he was appointed by the General of the Catholic establishments in New Spain to the presidency of the fifteen Missions in Lower California, then under management of the Jesuits. He crossed the gulf and made his headquarters at Loreto. From that place he was constantly going out upon

visits to the other Missions, inspiring each with his own zeal. But even then he did not think his life sufficiently occupied nor his duty accomplished. He was constantly tormented by thoughts of the thousands of unfortunate creatures still in a savage state whom he knew to inhabit the great unknown region extending to the north. He had the true pioneer spirit forever urging him on, and he soon formed the resolution to embark for what was then a distant land. Not much was then known of California, but Serra had seen charts describing the Bays of San Diego and Monterey. In 1769 he left Loreto in company with an exploring party going north in search of these two points. He stopped on the way at a point on the coast near the frontier of Lower California, and founded the Mission of San Fernando de Bellicota. The next stopping-place was the port of San Diego, where he remained long enough to found the Mission. During his stay at this place the exploring party went on, but returned the next year, having failed to discover the Bay of Monterey. In 1770 Serra again set out to find this bay, sending a party by land at the same time. As usual with most of his undertakings, the search was successful. Having landed at the spot so often mentioned in the descriptions of Monterey, and having taken formal possession of the country in the name of the King of Spain, Serra began the working out of the plan so long in his mind.

He first founded the Mission of San Carlos de Monterey, which always remained the central point of his operations. With this as his headquarters, he went out from time to time into various parts of the country, and one by one established and encouraged into a flourishing condition all the other Missions of California. As before stated, they were twenty-one in all. Taking into consideration the very small number of white men who assisted him in these labors, the rapidity of his success was something remarkable. There is no doubt that it is to be ascribed to the kindness, gentleness and ever-enduring patience which he invariably exhibited toward the Indians. In the construction of the churches, for instance, upon which we look with so much astonishment when told that they were built by the traditionally lazy Indian, it is very likely that he employed large numbers upon the work, in order that it should not bear too heavily upon individuals. He certainly employed methods of great wisdom in the management of these ignorant creatures, and could he have been endowed with a miraculous life of several hundred years, might well have given the lie to the oft-repeated complaints of Americans, that it is impossible to civilize the Indians. But it is too late now for us to study his methods. Only a handful of Indians remain to meet yearly on the day of San Carlos and raise their quavering chant over the grave of Junipero. As a natural result of his treatment of them, the Indians came to look upon Serra almost with adoration. They loved him for his gentleness, they respected him for his firmness, and they admired him for his ability. But every life, however valuable, must finally

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draw to a close, and in August, 1784, Junipero felt that his end was approaching. On the morning of the 27th, being very ill, he began to prepare for death.

He first confessed himself to his friend, Francisco Palou, and went through the ceremonies of the dying. Then, ill and suffering as he was, he went on foot to the church to receive the sacrament. The building was crowded with both whites and Indians, drawn thither by a common grief. At the beginning of the ceremony the hymn '*Tantum Ergo*' was sung, and according to the record Junipero himself joined in the singing with a "high, strong voice." We can easily realize that the congregation became so much affected upon hearing him sing his own death chant that they were unable to sing more, and, choking with emotion, sat listening, while the dying man's voice finished it alone. He then received the sacrament upon his knees, and recited thanks, according to the ritual, in a distinct voice. This ceremony over he returned to his cell, but did not lie down or take off any of his clothing. In the night he asked Palou to administer holy unction to him and join with him in the recital of the penitential psalms and litanies. The remainder of the night he passed in giving thanks to God, sometimes kneeling and sometimes sitting upon the floor. Early the next morning he asked Palou to give him plenary indulgence, and once more confessed himself. Shortly afterwards the Captain and the Chaplain of a Spanish vessel which was then in the harbor came in. Serra received them in his usual manner, when in health, cordially, and embracing the Chaplain with warmth. He thanked God that these visitors from afar, who had traversed so much of land and sea, had come in time to throw a little dirt on his body. Conversing with Palou, he expressed some anxiety and asked him to read the recommendation of the soul.

He then said that he felt comforted, and thanked God that he had no fear. After a time he asked for a little broth, and was supported into the kitchen, where he sat down and drank a little. He was assisted to his bed, and no sooner touched it than he fell back in death. Having been for some time expecting his end, he had ordered his own coffin to be made by the carpenter of the Mission. This was now brought out, and the body placed in it without changing the clothing. It was then carried to the church to await burial. The church bell notified the people of the event, and all gathered within for a last look at the dead face of their beloved friend and benefactor. They gathered closely around the coffin and attempted to secure pieces of his clothing to preserve as sacred relics. They were with difficulty prevented from doing this by the promise that a certain tunic, which he had been in the habit of wearing in life, should be divided among them. A guard was placed over the body, but notwithstanding the close watch which was kept, some part of the vestment was taken away in the night. The funeral ceremonies were conducted with great state, people

coming from every direction to take part in it. The solemn tolling of the church bells and the firing of salutes by the vessel in the harbor, added to the impressiveness of the occasion. Such is the account of the life, death and burial of Junipero Serra, as written in the records by his friend Francisco Palou, without comment or exaggeration. And now those bones, so solemnly laid to rest on that day, are once more brought forth to the light, in order that the memory of such a character may not be entirely forgotten.

Let us for a moment take a cursory glance at the mode of construction of these establishments. Father Gleeson tells us, in his able and valuable "History of the Catholic Church in California," that the Missions were usually quadrilateral buildings, two stories high, inclosing a court-yard ornamented with fountains and trees. The whole consisting of the church, Father's apartments, store-houses, barracks, etc. The quadrilateral sides were each about six hundred feet in length, one of which was partly occupied by the church. Within the quadrangle, and corresponding with the second story, was a gallery running round the entire structure, and opening upon the workshops, store-rooms and other apartments.

The entire management of each establishment was under the care of two Religious; the elder attended to the interior and the younger to the exterior administration. One portion of the building which was called the Monastery, was inhabited by young Indian girls. There, under the care of approved matrons, they were carefully trained and instructed in those branches necessary for their condition in life. They were not permitted to leave till of an age to be married, and this with a view of preserving their morality. In the schools, those who exhibited more talent than their companions, were taught vocal and instrumental music, the latter consisting of the flute, horn and violin. In the mechanical departments, too, the most apt were promoted to the position of foremen. The better to preserve the morals of all, none of the whites, except those absolutely necessary, were employed at the Missions.

The daily routine at each establishment was almost the same as that followed by the Jesuits in Lower California. At sunrise they arose and proceeded to church, where, after morning prayer, they assisted at the holy sacrifice of the mass. Breakfast next followed, when they proceeded to their respective employments. Toward noon they returned to the Mission, and spent the time from then till two o'clock between dinner and repose, after which they again repaired to their work, and remained engaged till the evening angelus, about an hour before sundown. All then betook themselves to the church for evening devotions, which consisted of the ordinary family prayers and the rosary, except on special occasions, when other devotional exercises were added. After supper, which immediately followed, they amused themselves in divers sports, games and dancing, till the hour for repose. Their diet, of which the poor of any country might be justly

envious, consisted of an abundance of excellent beef and mutton, with vegetables in the season. Wheaten cakes and puddings, or porridges, called "atole and pinole," also formed a portion of the repast. The dress was, for the males, linen shirts, pants, and a blanket to be used as an overcoat. The women received each, annually, two undergarments, a gown, and a blanket. In years of plenty, after the Missions became rich, the Fathers distributed all the surplus moneys among them in clothing and trinkets. Such was the general character of the early Missions established in Upper California.

We will now turn for a moment to the Mission of San José. This was established June 11, 1798, while Diego de Barica was the Governor of California. The site chosen was ten miles to the north of the Pueblo de San José and forty to the east of San Francisco, on a plateau indenting the Contra Costa Range, and facing the southern extremity of the Bay of San Francisco. Behind it were the beautiful Calaveras and Suñol valleys. Mission Peak arose immediately in its rear like a giant sentinel indexing its location, while in its vicinity, nature had abundantly supplied every want. Here was a pellucid stream of sweetest water perennially running from never-failing springs; here, too, were the paramount advantages of climate; wood was abundant; pasturage was luxuriant; killing frosts were unknown; an embarcadero was not far distant; and within an hour's walk were warm springs, possessed of potent healing qualities. What more was needed?

They who had charge of the founding of Mission San José were Friars Ysidro Barcilano and Augustine Merin. At first the chapel was a small adobe edifice, which was extended seven varas in the second year of its existence. A wall forty-seven varas long, five high and six wide, thatched with tules, was constructed, water flumes laid, and being in the presidial jurisdiction of San Francisco, soldiers were sent from there to keep guard over it and to bring the natives in for education.

What was the State of the Missions in the early part of the present century? We shall see. In the year 1767 the property possessed by the Jesuits then known as the Pious Fund, was taken charge of by the Government, and used for the benefit of the Missions. At that time this possession yielded an annual revenue of fifty thousand dollars, twenty-four thousand of which were expended in the stipends of the Franciscan and Dominican Missionaries, and the balance for the maintenance of the Missions generally. Father Gleeson says: "The first inroad made on these pious donations was about the year 1806, when to relieve the natural wants of the parent country, caused by the wars of 1801 and 1804, between Portugal in the one instance and Great Britain in the other, His Majesty's fiscal at Mexico scrupled not to confiscate and remit to the authorities in Spain, as much as two hundred thousand dollars of the Pious Fund." By this means the Missions were deprived of most substantial aid, and the Fathers left upon their own resources; add to these difficulties the unsettled state of the country

between the years 1811 and 1831, and still their work was never stayed, to demonstrate which let us here state that between the years 1802 and 1822, in all of the eighteen Missions which then existed in Upper California, there were baptized seventy-four thousand six hundred and twenty-one Indians; twenty thousand four hundred and twelve were married; *forty-seven thousand nine hundred and twenty-five had died;* and there were twenty thousand nine hundred and fifty-eight existing. No fewer than six thousand five hundred and sixty-five had succumbed at Santa Clara, and two thousand nine hundred and thirty-three at Mission San José—the greater number to disease.

Of what nature was this plague it is hard to establish; the missionaries themselves could assign no cause, syphilis, measles, and small-pox carried off numbers, and these diseases were generated, in all probability, by a sudden change in their lives from a free, wandering existence, to a state of settled quietude.

Father Gleeson further informs us: "In 1813, when the contest for national independence was being waged on Mexican territory, the Cortes of Spain resolved upon dispensing with the services of the Fathers by placing the missions in the hands of the secular clergy. The professed object of this secularization scheme was, indeed, the welfare of the Indians and colonists; but how little this accorded with the real intentions of the Government, is seen from the seventh section of the decree by the Cortes, wherein is stated that one-half of the land was to be hypothecated for the payment of the National Debt. The decree ordering this, commences: The Cortes, general and extraordinary, considering that the reduction of common land to private property is one of the measures most imperiously demanded for the welfare of the pueblos, and the improvement of agriculture and industry, and wishing at the same time to derive from this class of land *aid to relieve the public necessities*, a reward to the worthy defenders of the country and relief to the citizens not proprietors, decree, etc., without prejudice to the foregoing provisions, one-half of the vacant land and lands belonging to the royal patrimony of the monarchy, except the suburbs of the pueblos, is hereby reserved, to be in whole, or in part, as may be deemed necessary, hypothecated for the *payment of the National Debt*, etc.

"This decree of the Government was not carried out at the time, yet it had its effect on the state and well-being of the missions in general. It could not be expected that with such a resolution under their eyes, the Fathers would be as zealous in developing the natural resources of the country as before, seeing that the result of their labors was at any moment liable to be seized on by the Government, and handed over to strangers. The insecurity thus created naturally acted upon the converts in turn, for when it became apparent that the authority of the missionaries was more nominal than real, a spirit of opposition and independence on the part of

some of the people was the natural result. Even before this determination had been come to on the part of the Government, there were not wanting evidences of an evil disposition on the part of the people; for as early as 1803 one of the missions had become the scene of a revolt; and earlier still, as we learn from an unpublished correspondence of the Fathers, it was not unusual for some of the converts to abandon the missions and return to their former wandering life. It was customary on those occasions to pursue the deserters, and compel them to return. * * * *

"Meantime, the internal state of the Missions was becoming more and more complex and disordered. The desertions were more frequent and numerous, the hostility of the unconverted more daring, and the general disposition of the people inclined to revolt. American traders and freebooters had entered the country, spread themselves all over the province, and sowed the seeds of discord and revolt among the inhabitants. Many of the more reckless and evil-minded readily listened to their suggestions, adopted their counsels, and broke out into open hostilities. Their hostile attack was first directed against the Mission of Santa Cruz, which they captured and plundered, when they directed their course to Monterey, and, in common with their American friends, attacked and plundered that place. From these and other like occurrences, it was clear that the condition of the Missions was one of the greatest peril. The spirit of discord had spread among the people, hostility to the authority of the Fathers had become common, while desertion from the villages was of frequent and almost constant occurrence. To remedy this unpleasant state of affairs, the military then in the country was entirely inadequate, and so matters continued, with little or no difference, till 1824, when, by the action of the Mexican Government, the Missions began rapidly to decline.

"Two years after Mexico had been formed into a Republic, the Government authorities began to interfere with the rights of the Fathers and the existing state of affairs. In 1826 instructions were forwarded by the Federal Government to the authorities of California for the liberation of the Indians. This was followed, a few years later, by another act of the Legislature, ordering the whole of the Missions to be secularized and the Religious to withdraw. The ostensible object assigned by the authors of the measure was the execution of the original plan formed by Government. The Missions, it was alleged, were never intended to be permanent establishments; they were to give way, in the course of some years, to the regular ecclesiastical system, when the people would be formed into parishes, attended by a secular clergy." * * * * *

"Beneath these specious pretexts," says Dwinelle, in his Colonial History, "was undoubtedly a perfect understanding between the Government at Mexico and the leading men in California, and in such a condition of things the Supreme Government might absorb the Pious Fund, under the pretense

that it was no longer necessary for missionary purposes, and thus had reverted to the State as a *quasi* escheat, while the co-actors in California should appropriate the local wealth of the Missions, by the rapid and sure process of administering the temporalities." And again: "These laws (the secularization laws), whose ostensible purpose was to convert the missionary establishments into Indian pueblos, their churches into parish churches, and to elevate the christianized Indians to the rank of citizens, were, after all, executed in such a manner that the so-called secularization of the Missions *resulted only in their plunder* and complete ruin, and in the demoralization and dispersion of the Christianized Indians."

Immediately on the receipt of the decree, the then acting Governor of California, Don José Figueroa, commenced the carrying out of its provisions, to which end he prepared certain provisional rules, and in accordance therewith the alteration in the missionary system was begun, to be immediately followed by the absolute ruin of both missions and country. Within a very few years the exertions of the Fathers were entirely destroyed; the lands, which hitherto had teemed with abundance, were handed over to the Indians, to be by them neglected and permitted to return to their primitive wildness, and the thousands of cattle were divided among the people and the administrators for the personal benefit of either.

Let us now briefly follow Father Gleeson in his contrast of the state of the people before and after secularization. He says: "It has been stated already that in 1822 the entire number of Indians then inhabiting the different Missions amounted to twenty thousand and upwards. To these others were being constantly added, even during those years of political strife which immediately preceded the independence of Mexico, until, in 1836, the number amounted to thirty thousand and more. Provided with all the necessary comforts of life, instructed in everything requisite for their state in society, and devoutly trained in the duties and requirements of religion, these thirty thousand Californian converts led a peaceful, happy, contented life, strangers to those cares, troubles and anxieties common to higher and more civilized conditions of life. At the same time that their religious condition was one of thankfulness and grateful satisfaction to the Fathers, their worldly position was one of unrivaled abundance and prosperity. Divided between the different Missions from St. Lucas to San Francisco, close upon one million of live-stock belonged to the people. Of these, four hundred thousand were horned cattle, sixty thousand horses, and more than three hundred thousand sheep, goats and swine. The united annual return of the cereals, consisting of wheat, maize, beans, and the like, was upwards of one hundred and twenty thousand bushels; while, at the same time, throughout the different Missions, the preparation and manufacture of soap, leather, wine, brandy, hides, wool, oil, cotton, hemp, linen, tobacco, salt and soda, were largely and extensively cultivated. And to

such perfection were these articles brought, that some of them were eagerly sought for and purchased in the principal cities in Europe.

"The material prosperity of the country was further increased by an annual revenue of about one million of dollars, the net proceeds of the hide and tallow of one hundred thousand oxen slaughtered annually at the different Missions. Another hundred thousand were slaughtered by the settlers for their own private advantage. The revenues on the articles of which there are no specific returns, are also supposed to have averaged another million dollars, which, when added to the foregoing, makes the annual revenue of the California Catholic Missions, at the time of their supremacy, between two and three million dollars. Independent of these, there were the rich and extensive gardens and orchards attached to the Missions, exquisitely ornamented and enriched, in many instances, with a great variety of European and tropical fruit trees, plums, bananas, oranges, olives and figs, added to which were the numerous and fertile vineyards, rivaling in the quantity and quality of the grape those of the old countries of Europe, and all used for the comfort and maintenance of the natives. In a word, the happy results, both spiritual and temporal, produced in Upper California by the spiritual children of St. Francis, during the sixty years of their missionary career, were such as have rarely been equaled and never surpassed in modern times. In a country naturally salubrious, and it must be admited fertile beyond many parts of the world, yet presenting at the outset numerous obstacles to the labors of the missionary, the Fathers succeeded in establishing, at regular distances along the coast, as many as one-and-twenty missionary establishments. Into these holy retreats their zeal and ability enabled them to gather the whole of the indigenous race, with the exception of a few wandering tribes, who, it is only reasonable to suppose, would also have followed the example of their brethren, had not the labors of the Fathers been dispensed with by the civil authorities. There, in those peaceful, happy abodes, abounding in more than the ordinary enjoyment of things spiritual and temporal, thirty thousand faithful, simple-hearted Indians passed their days in the practice of virtue and the improvement of their country, from a wandering, savage, uncultivated race, unconscious as well of the God who created them as the end for which they were made, they became, after the advent of the Fathers, a civilized, domestic, Christian people, whose morals were as pure as their minds were simple. Daily attendance at the holy sacrifice of the mass, morning and night prayer, confession and communion at stated times—the true worship, in a word, of the Deity, succeeded the listless, aimless life, the rude pagan games, and the illicit amours. The plains and valleys, which for centuries lay uncultivated and unproductive, now teemed under an abundance of every species of corn; the hills and plains were covered with stock; the fig tree, the olive and the vine yielded their rich abundance, while lying in the har-

bors, waiting to carry to foreign markets the rich products of the country, might be seen numerous vessels from different parts of the world. Such was the happy and prosperous condition of the country under the missionary rule; and with this the reader is requested to contrast the condition of the people after the removal of the Religious, and the transfer of power to the secular authorities.

"In 1833 the decree for the liberation of the Indians was passed by the Mexican Congress, and put in force in the following year. The dispersion and demoralization of the people was the immediate result. Within eight years after the execution of the decree, the number of Christians diminished from thirty thousand six hundred and fifty to four thousand four hundred and fifty! Some of the Missions, which in 1834 had as many as one thousand five hundred souls, numbered only a few hundred in 1842. The two Missions of San Rafael and San Francisco Solano (Sonoma) decreased respectively within this period from one thousand two hundred and fifty, and one thousand three hundred, to twenty and seventy! A like diminution was observed in the cattle and general products of the country. Of the eight hundred and eight thousand head of live-stock belonging to the Missions at the date above mentioned, only sixty-three thousand and twenty remained in 1842. The diminution in the cereals was equally striking; it fell from seventy to four thousand hectolitres. * * * By descending to particular instances this (the advantage of the Religious over the civil administration) will become even more manifest still. At one period during the supremacy of the Fathers, the principal Mission of the country (San Diego) produced as much as six thousand *fanegas* of wheat, and an equal quantity of maize, but in 1842 the return for this Mission was only eighteen hundred *fanegas* in all."

That the Fathers who had charge of the Missions in Upper California, before the advent of the Americans, paid strict attention to the duty of Christianizing the native race, is evidenced by documents still in existence. The following report and order, dated Monterey, May 6, 1804, addressed to the Commissioner of the Village of Branciforte, though belonging to the chronicles of another county, is now produced to exemplify the stringency with which religious observances were carried out:

"In accordance with the rules made by the Governor, requiring a monthly report from the Commissioner of Branciforte, showing who of the colonists and residents do or do not comply with their religious duties, the official report for the month of April, 1804, certified by the reverend minister, has reached its destination. The Indian, Toribio, at some time past was derelict, but now has been brought to a proper sense of the requirements of a Christian era, and is absolved from further stricture upon his failures, and the reverend Fathers are to be so notified. The rebellious Ignacio Acedo, for failure to comport himself outwardly as a devotee, is to be ar-

rested and turned over to the Church authorities, where flagellation and confinement in the stocks will cause him to pay a proper respect, and to be obedient to the precepts and commandments of the church, of which he has been a contumacious member. The Governor is to be informed of the punishment to which Acedo will be sentenced; and requires the information in writing, that it may be used by him, if he requires it, as an example of what those under his command may expect should they fail in the observance of the requirements of the Church."

Then follows Government Order No. 29, signed by José M. Estudillo, Secretary of José J. de Arrillaga, Military Commander of Alta California, and which is to this effect:

"I am in receipt of the list, certified by the reverend minister of the Mission of Santa Cruz, of those who have observed the rules of religion, in having confessed and received the sacrament. The Indian, Toribio, has complied herewith, having done both, and I will send word to such effect to the Fathers. You will cause Ignacio Acedo to be arrested, and notify the reverend Fathers when you have done so, that they may do with him as they think proper, and inform me what the pastors of the church do to its members who fail to conform to the precepts of the holy religion, and have the reverend Fathers put it in writing. May God protect you many years."

In its early day the whole military force in Upper California did not number more than from two to three hundred men, divided between the four presidios of San Diego, Santa Barbara, Monterey and San Francisco, while there were but two towns or pueblos, Los Angeles and San José, the latter of which was established, November 29, 1777. Another was subsequently started in the neighborhood of Santa Cruz, which was named Branciforte, after a Spanish Viceroy. It may be conjectured that the garrisons were not maintained in a very effective condition. Such a supposition would be correct, for everywhere betokened the disuse of arms, and the long absence of an enemy. The cannon of the presidio at San Francisco were grey with mould, and women and children were to be seen snugly located within the military lines. The soldiers of the San Francisco district were divided into three cantonments—one at the presidio, one at Santa Clara mission, and one at Mission San José. We here append a list of the soldiers connected with the presidio in the year 1790, which has been copied from the Spanish archives in San Francisco. Here will be found the names, positions, nativity, color, race, age, etc., of the soldiers, as well as those of their wives, when married:

Don Josef Arguello, Commandante, age 39.

Don Ramon Laro de la Neda, Alferez de Campo, age 34.

Pedro Amador, Sergeant. Spaniard from Guadalaxara, age 51; wife, Ramona Noriega, Spanish, aged 30; seven children.

Nicolas Galindo, mestizo, Durango, 42.
Majio Chavoya, City of Mexico, 34; wife, a Bernal.
Miguel Pacheco, 36; wife, a Sanchez.
Luis Maria Peralta, Spaniard, Sonora, 32; wife, Maria Loretta Alviso, 19.
Justa Altamarino, mulatto, Sonora, 45.
Ygnacio Limaxes, Sonora, 49; wife, Maria Gertruda Rivas, Spaniard, 38.
Ygnacio Soto, 41; wife, Barbara Espinoza.
Juan Bernal, mestizo, Sonora, 53; wife, Maxima I de Soto.
Jph. Maria Martinez, Sonora, 35; wife, Maria Garcia, mulatto, 18.
Salvador Iguera, L. C., 38; wife, Alexa Marinda, Sonora, 38.
Nicolas Berryessa, mestizo, 25; wife Maria Gertrudis Peralta, 24.
Pedro Peralta, Sonora, 26: wife, Maria Carmen Grisalva, 19.
Ygnacio Pacheco, Sonora, 30; wife, Maria Dolores Cantua, mestizo, age 16.
Francisco Bernal, Sinaloa, 27; wife, Maria Petrona, Indian, 29.
Bartolo Pacheco, Sonora, 25; wife, Maria Francisco Soto, 18.
Apolinario Bernal, Sonora, 25.
Joaquin Bernal, Sonora, 28; wife, Josefa Sanchez, 21.
Josef Aceva, Durango, 26.
Manuel Boranda, Guadalaxara, 40; wife, Gertrudis Higuera, 13.
Francisco Valencia, Sonora, 22; wife, Maria Victoria Higuera, 15.
Josef Antonio Sanchez, Guadalaxara, 39; wife, Maria Dolora Moxales, 34.
Josef Ortez, Guadalaxara, 23.
Josef Aguil, Guadalaxara, 22; wife, Conellaria Remixa, 14.
Alexandro Avisto, Durango, 23.
Juan Josef Higuera, Sonora, 20.
Francisco Flores, Guadalaxara, 20.
Josef Maria Castilla, Guadalaxara, 19.
Ygnacio Higuera, Sonora; wife, Maria Micaelo Borjorques, 28.
Ramon Linare, Sonora, 19.
Josef Miguel, Saens, Sonora, 18.
Carto Serviente, San Diego, Indian, 60.
Augustin Xirviento, L. C., 20.
Nicolas Presidairo, Indian, 40.
Gabriel Peralta, invalid, Sonora.
Manuel Vutron, invalid, Indian.
Ramon Borjorques, invalid, 98.
Francisco Romero, invalid, 52.

A recapitulation shows that the inmates of the presidio consisted altogether of one hundred and forty-four persons, including men, women and children, soldiers and civilians. There were thirty-eight soldiers and three laborers. Of these one was a European other than Spanish, seventy-eight Spaniards, five Indians, two mulattos, and forty-four of other castes.

An inventory of the rich men of the Presidio, bearing date 1793, was dis-

Yours Truly
Warren B. English

covered some years since, showing that Pedro Amador was the proprietor of thirteen head of stock and fifty-two sheep; Nicolas Galindo, ten head of stock; Luis Peralta, two head of stock; Manuel Boranda, three head of stock; Juan Bernal, twenty three head of stock and two hundred and forty-six sheep; Salvador Youere, three head of stock; Aleso Miranda, fifteen head of stock; Pedro Peralta, two head of stock; Francisco Bernal, sixteen head of stock; Bartol Pacheco, seven head of stock; Joaquin Bernal, eight head of stock; Francisco Valencia, two head of stock; Berancia Galindo, six head of stock; Hermenes Sal (who appears to have been a secretary, or something besides a soldier), five head of stock and three mares. Computing these, we find the total amount of stock owned by these men was one hundred and fifteen cattle, two hundred and ninety-eight sheep, and seventeen mares—the parent stem from which sprung the hundreds of thousands of head of stock which afterwards roamed over the Californian mountains and valleys.

We have thus far dwelt chiefly upon the establishment of the Missions; let us now briefly take into consideration the attempt made by another European nation to get a foothold on the coast of California.

The Russians, to whom then belonged all that territory now known as Alaska, had found their country of almost perpetual cold, without facilities for the cultivation of those fruits and cereals which go a great way towards maintaining life; therefore ships were dispatched along the coast in quest of a spot where a station might be established, and those wants supplied. In a voyage of this nature, the port of Bodega, in Sonoma County, was visited in January, 1811, by Alexander Koskoff, who took possession of the place on the fragile pleas that he had been refused a supply of water at Yerba Buena (San Francisco), and that he had obtained, by right of purchase from the Indians, the land lying between Point Reyes, and Point Arena (Mendocino County), and for a distance of three leagues inland. Here he remained for a while, and to Bodega gave the name of Romanzoff, calling the stream now known as Russian River, Slavianka.

The King of Spain, it should be remembered, claimed all territory north to Fuca Straits; therefore, on Governor Arguello receiving the intelligence of the Russian occupation of Bodega, he reported the circumstance to the Viceroy, Revilla Gigedo, who returned dispatches ordering the Muscovite intruder to depart. The only answer received to this communication was a verbal message, saying that the orders of the Viceroy of Spain had been received and transmitted to St. Petersburg for the action of the Czar. Here, however, the matter did not rest. There arrived in the harbor of San Francisco, in 1816, in the Russian brig *Rurick*, a scientific expedition under the command of Otto von Kotzebue. In accordance with instructions received from the Spanish authorities, Governor Sola proceeded to San Francisco, visited Kotzebue, and, as directed by his Government, offered aid in further-

ance of the endeavors to advance scientific research on the coast. At the same time he complained of Koskoff; informed him of the action taken on either side, and laid particular emphasis on the fact that the Russians had been occupiers of Spanish territory for five years. Upon this complaint Don Gervasio Arguello was dispatched to Bodega as the bearer of a message from Kotzebue to Koskoff, requiring his presence in San Francisco. This messenger was the first to bring a definite report of the Russian settlement there, which then consisted of twenty-five Russians and eighty Kodiac Indians. On October 28th a conference was held on board the *Rurick*, in the harbor of San Francisco, between Arguello, Kotzebue and Koskoff; there being also present José Maria Estudillo, Luis Antonio Arguello, and a naturalist named Chamisso, who acted as interpreter. No new development was made at this interview, for Koskoff claimed that he was acting in strict conformity with instructions from the Governor of Sitka; therefore Kotzebue declined to take any action in the matter, contenting himself with the simple promise that the entire affair should be submitted to St. Petersburg to await the instructions of the Emperor of Russia. Thus the matter then rested. Communications subsequently made produced a like unsatisfactory result, and the Russians were permitted to remain for a lengthened period possessors of the land they had so arbitrarily appropriated.

The commandants under the Mexican *régime*, in later years, organized several military expeditions for the purpose of marching against the intruders, which were not actually carried into effect. For more than a quarter of a century the Muscovite continued to hold undisturbed possession of the disputed territory, and prosecuted their farming, stock-raising, hunting, trapping and ship-building enterprises; yet, whatever may have been the causes which led to it, there finally came a day when it was decided to withdraw the colony from California. The proposition was first made by them to the government authorities at Monterey, to dispose of their interests at Bodega and Fort Ross, including their title to the land, but, as these officials had never recognized their right or title, and could hardly do so at that late date, they refused to purchase. Application was next made to General M. G. Vallejo, but on the same grounds he refused. They then applied to Captain John A. Sutter, a gentleman at that time residing near where Sacramento City now stands, and who had made a journey from Sitka, some years before, in one of their vessels. They persuaded Sutter into the belief that their title was good, and could be maintained; so, after making out a full invoice of the articles they had for disposal, including all the land lying between Point Reyes and Point Mendocino, and one league inland, as well as cattle, farming and mechanical implements, also a schooner of one hundred and eighty tons burden, some arms, a five-pound brass field-piece, etc., a price was decided upon, the sum being thirty thousand dollars,

which, however, was not paid at one time, but in cash instalments of a few thousand dollars, the last payment being made through ex-Governor Burnett, in 1849. All the stipulations of the sale having been arranged satisfactorily to both parties, the transfer was duly made, and Sutter became, as he had every right to expect, the greatest land-holder in California—the grants given by the Mexican government seemed mere *bagatelles*, when compared to his princely domain, but, alas for human hopes and aspirations, in reality he had paid an enormous price for a very paltry compensation of personal and chattel property!

Orders were sent to the settlers at Fort Ross to repair at once to San Francisco Bay, and ships were dispatched to bring them there, where whaling vessels bound for the northern fishing grounds had been chartered to convey them to Sitka. These craft arrived at an early hour in the day, and the orders being shown to Rotscheff, the commander, he ordered the bells in the chapel towers to be rung, and the cannon to be fired, this being the usual method of convocating the people at an unusual hour, or for some especial purpose, so, everything was suspended just there—the husbandman left his plow standing in the half-turned furrow and unloosed his oxen, never again to yoke them, leaving them to wander at will over the fields; the mechanic dropped his planes and saws on the bench, with the half-smoothed board remaining in the vise; the tanner left his tools where he was using them, and doffed his apron to don it no more in California. As soon as the entire population had assembled, Rotscheff arose and read the orders. Very sad and unwelcome, indeed, was the intelligence, but the edict had emanated from a source which could not be gainsaid, and the only alternative was a speedy and complete compliance, however reluctant it might be—and thus four hundred people were made homeless by the fiat of a single word. Time was only given to gather up a few household effects with some of the choicest mementoes, and they were hurried on board ship. Scarcely time was given to those whose loved ones were sleeping in the grave-yard near by, to pay a last sad visit to their resting place. Embarkation was commenced at once;

> "And with the ebb of the tide the ships sailed out of the harbor
> Leaving behind them the dead on the shore"

And all the happy scenes of their lives, which had glided smoothly along on the beautiful shores of the Pacific and in the garden spot of the world. Sad and heavy must have been their hearts, as they gazed for the last time upon the receding landscape which their eyes had learned to love, because it had been that best of places—HOME.

At this stage of our remarks it may, perhaps, be well to introduce the reader to a few of the characteristics, manners, customs, and mode of living of the native Californians.

These were, for the most part, a half-caste race, between the white Castillian and the native Indian, very few of the natives retaining the pure blood of old Castile; they were consequently of all shades of color, and developed, the women especially, into a handsome and comely race. Their wants were few and easily supplied, they were contented and happy; the women were virtuous, and great devotees to their church and religion; while the men in their normal condition were kind and hospitable, but when excited they became rash, fearless, yet cruel, with no dread for knife nor pistol. Their generosity was great, everything they had being at the disposal of a friend, or even a stranger, while socially they loved pleasure, spending most of their time in music and dancing; indeed, such was their passion for the latter, that their horses have been trained to cavort in time to the tones of the guitar. When not sleeping, eating or dancing, the men passed most of their time in the saddle, and naturally were very expert equestrians. Horse-racing was with them a daily occurrence, not for the gain which it might bring, but for the amusement to be derived therefrom; and to throw a dollar upon the ground, ride at full gallop and pick it up, was a feat that almost any of them could perform.

Horses and cattle gave them their chief occupation. They could use the riata or lasso with the utmost dexterity; whenever thrown at a bullock, horseman or bear, it rarely missed its mark. The riata in the hand of a Californian was a more dangerous weapon than gun or pistol, while to catch a wild cow with it, throw her and tie her, without dismounting, was most common, and to go through the same performance with a bear was not considered extraordinary. Their only articles of export were hides and tallow, the value of the former being one dollar and a half in cash, and two in goods, and the latter three cents per pound in barter. Young heifers of two years old, for breeding purposes, were worth three dollars; a fat steer, delivered to the purchaser, brought fifty cents more, while it was considered neither trespass nor larceny to kill a beeve, use the flesh, and hang the hide and tallow on a tree, secure from coyotes, where it could be found by the owner.

Lands outside of the towns were only valuable for grazing purposes. For this use every citizen of good character, having cattle, could, for the asking, and by paying a fee to the officials, and a tax upon the paper upon which it was written, get a grant for a grazing tract of from one to eleven square leagues of land. These domains were called Ranchos, the only improvements on them being usually a house and a corral. They were never inclosed; they were never surveyed, but extended from one well-defined landmark to another, and whether they contained two or three leagues, more or less, was regarded as a matter of no consequence, for the land itself was of no value to the Government.

It was not necessary for a man to keep his cattle on his own land.

They were ear-marked and branded when young, and these established their ownership. The stock roamed whithersoever they wished, the ranchero sometimes finding his animals fifty or sixty miles away from his grounds. About the middle of march commenced the "*Rodeo*" season, which was fixed in advance by the ranchero, who would send notice to his neighbors around, when all, with their vaqueros, would attend and participate. The rodero was the gathering in one locality of all the cattle on the rancho. When this was accomplished, the next operation was for each ranchero present to part out from the general herd all animals bearing his brand and ear-mark and take them off to his own rancho. In doing this they were allowed to take all calves that followed their mothers, what was left in the rodero belonging to the owner of the rancho, who had them marked as his property. On some of the ranchos the number of calves branded and marked each year appears to us at this date to have been enormous, Joaquin Bernal, who owned the Santa Teresa Rancho, in the Santa Clara valley, having been in the habit of branding not less than five thousand head yearly. In this work a great many horses were employed. Fifty head was a small number for a ranchero to own, while they frequently had from five to six hundred trained animals, principally geldings, for the mares were kept exclusively for breeding purposes. The latter were worth a dollar and a half per head; the price of saddle horses was from two dollars and fifty cents to twelve dollars.

In the month of December, 1865, a writer under the caption of "Yadnus" thus writes to the *San José Mercury:*

"Not many years ago, in the agricultural counties, or, as they are more elegantly termed in the parlor language of California, 'Cow Counties,' prevailed to a great extent the custom which has given rise to the following rough verses. Until the heavy floods and severe weather of the memorable Winter of 1861, had more than decimated their herds, it was the practice (in accordance with law, I believe), for the wealthy rancheros—men who counted their cattle (when they counted them at all) by the thousands—to hold twice a year, a rodeo (*rodere*), to which all who owned stock within a circuit of fifty miles repaired, with their friends, and often their families. At the appointed time, the cattle, for many leagues around, were gathered up by the horsemen, or vaqueros (*buckaros*), of the different stockmen and driven into a large corral, where the branding, marking and claiming of stock occupied sometimes a week. At the largest rodeo I ever witnessed, there were gathered together some thirty thousand head of cattle, and at least three hundred human beings, among whom were many of the *gentler* sex. These rodeos were usually presided over by a 'Judge of the Plains,' an officer appointed in later years by the Board of Supervisors, and whose duty was to arbitrate between owners in all disputes that might arise as to cattle-property, overhaul and inspect all brands of stock

being driven from or through the county, and to steal as many 'hoobs as he possibly could without detection. In fact the 'perquisites' constituted pretty nearly the entire pay of this valuable officer, and if they all understood their business as well as the one it was my fortune to cabin with for a number of months, they made the office pay pretty well."

The following poetic description of a rodeo is well worthy the perusal of the reader:

EL RODEO.

Few are the sunny years, fair land of gold,
That round thy brow their circlet bright have twined;
Yet, each thy youthful form hath still enrolled
In wondrous garb of peace and wealth combined.
Few are the years since old Hispania's sons
Reared here their missions—tolled the chapel bell;
Subdued the natives with their priestly guns,
To bear the cross of God—and man as well.

Oft have the holy Fathers careless stood
Within thy valleys, then a blooming waste:
Or heedless, toiled among the mountain flood,
That rich with treasure, downward foamed and raced.
Those times and scenes have long since passed away,
Before the white man's wisdom-guided tread,
As fly the shades before the steps of day,
When in the east he lifts his radiant head.

But still thy valleys and thy mountains teem
With customs common to the race of old;
Like Indian names bequeathed to lake and stream,
They'll live while Time his restless reign shall hold.
'Tis of one such that I essay to sing,
A custom much in vogue in sections here,
Till flood and frost did such destruction bring
That scarce since then was needed a *rodere*.

Last night, at sunset, down the stream, I saw
The dark *vaqueros* ride along the plain,
With jingling spur, and bit, and *jaquima*,
And snake-like lariats scarce e'er hurled in vain;
The steeds they rode were champing on the bit,
The agile riders lightly sat their "trees,"
And many a laugh and waif of Spanish wit
Made merry music on the evening breeze.

Far out beyond the hills their course they took,
And where there lies, in early-summer days,
A lake, a slough, or chance a pebbly brook,
The coyote saw the camp-fire wildly blaze.
All night they lay beneath the lurid glare,
Till had upsprung morn's beauteous herald star,
And then, received each here the needed care,
Quick o'er the plains they scattered near and far.

They come! and thundering down the red-land slope,
The fierce *ganado* madly tears along,
While, close behind, urged to their utmost lope,
The wild *caballos* drive the surging throng.
At headlong speed the drivers keep the hand,
With yells, and oaths, and waving hats and coats,
Till in the strong corral they panting, stand,
And rest is gained for horses and for throats.

Then comes the breakfast; soon the steer they kill,
And quickly is the dressing hurried through;
The meat is cooked by rude, yet well-liked skill,
And—all do know what hungry men can do.
The Padron sits beneath yon old oak tree,
Encircled by a group of chatting friends;
For, at *rodeo*, all one can eat is free,
So all around in greasy union blends.

The breakfast finished, cigarettes alight,
Unto the huge corral all hands proceed;
The strong-wove cinches are made doubly tight,
And the *riata's* noose prepared for need.
The fire is kindled, and the iron brand,
Amid its coals, receives the wonted heat;
The Padron waves assent, with eager hand,
And the dark riders bound to saddle seat.

Where yon dark cloud of dust is rising high,
The swart *vaquero* like the lightning dart,
And singling out their prey with practiced eye,
Rush him from the affrighted herd apart.
Then whirls the lasso, whistling through the air,
In rapid circles o'er each horseman's head,
Till round the yearling's throat is hurled the snare
Burning like a huge coil of molten lead.

Then, heedless of its struggles to get free,
They drag it to the *Major-Domo's* stand,
Who, though of tender heart he's wont to be,
Now, merciless, sears deep in its flesh the brand.
The Spanish mother, at her youngling's cry,
Comes charging down with maddened hoof and horn,
While far and wide the crowd of gazers fly,
And hide behind the fence-posts till she's gone.

In faith, it is a sight well worth to see,
For those who like excitement's feverish touch:
And he who can look on and passive be,
Has ice within his nature overmuch.
What frantic bellowings pierce the startled air,
What clouds of dust obscure the midday sky,
What frenzied looks the maddened cattle wear,
As round and round, in vain, they raging fly!

These things, and many more, tend well to fill
The eager cravings of the morbid mind,
Akin to passions that full oft instill
Feelings that prompt the torture of its kind;
But he who rashly seeks a closer view
Of tortured calf, to mark each groan and sigh,
Receives, full oft, rebuke in black and blue,
Pointed with force to where his brains most lie.

By the time the rodeo season was over, about the middle of May, the "Matanza," or killing season, commenced. The number of cattle slaughtered each year was commensurate with the number of calves marked, and the amount of herbage for the year, for no more could be kept alive than the pasture on the rancho could support. After the butchering, the hides were taken off and dried; the tallow, fit for market, was put into bags made from hides; the fattest portions of the meat were made into soap, while some of the best was cut, pulled into thin shreds, dried in the sun, and the remainder thrown to the buzzards and the dogs, a number of which

were kept—young dogs were never destroyed—to clean up after a matanza. Three or four hundred of these curs were to be found on a rancho, and it was no infrequent occurrence to see a ranchero come into a town with a string of them at his horse's heels.

Let us consider one of the habitations of these people. Its construction was beautiful in its extreme simplicity. The walls were fashioned of large, sun-dried bricks, made of that black loam known to settlers in the Golden State as adobe soil, mixed with straw, measuring about eighteen inches square and three in thickness, these being cemented with mud, plastered within with the same substance, and whitewashed when finished. The rafters and joists were of rough timber, with the bark simply peeled off, and placed in the requisite position, the thatch being of rushes or chaparral, fastened down with thongs of bullocks' hide. When completed, these dwellings stand the brunt and wear of many decades of years, as can be evidenced by the number which are still occupied throughout the country. The furniture consisted of a few cooking utensils, a rude bench or two, sometimes a table, and the never-failing red camphor-wood trunk. This chest contained the extra clothes of the women—the men wore theirs on their backs—and when a visit of more than a day's duration was made, the box was taken along. They were cleanly in their persons and clothing; the general dress being, for females, a common calico gown of plain colors, blue grounds with small figures being most fancied. The fashionable ball-dress of the young ladies was a scarlet flannel petticoat covered with a white lawn skirt, a combination of tone in color which is not surpassed by the modern gala costume. Bonnets there were none, the head-dress consisting of a long, narrow shawl or scarf. So graceful was their dancing that it was the admiration of all strangers; but as much cannot be said for that of the men, for the more noise they made the better it suited them.

The dress of the men was a cotton shirt, cotton drawers, *calzonazos*, sash, *serape* and hat. The calzonazos took the place of pantaloons in the modern costume, and differed from these by being open down the sides, or, rather, the seams on the sides were not sewed as in pantaloons, but were laced together from the waistband to the hips by means of a ribbon run through eyelets; thence they were fastened with large silver bell-buttons. In wearing them they were left open from the knee down. The best of these garments were made of broadcloth, the inside and outside seams being faced with cotton velvet. The serape was a blanket with a hole through its center, through which the head was inserted, the remainder hanging to the knees before and behind. These cloaks were invariably of brilliant colors, and varied in price from four to one hundred and fifty dollars. The calzonazos were held in their place by a pink sash worn around the waist, while the serape served as a coat by day and a covering by night.

JERRY MORGAN.

Their courtship was to the western mind peculiar, no flirting or love-making being permitted. When a young man of marriageable age saw a young lady whom he thought would make a happy help-mate, he had first to make his wishes known to his own father, in whose household the eligibility of the connection was primarily canvassed, when, if the desire was regarded with favor, the father of the enamored swain addressed a letter to the father of the young lady, asking for his daughter in marriage for his son. The matter was then freely discussed between the parents of the girl, and, if an adverse decision was arrived at, the father of the young man was by letter so informed, and the matter was at an end; but if the decision of her parents was favorable to him, then the young lady's inclinations were consulted, and her decision communicated in the same manner, when they were affianced, and the affair became a matter of common notoriety. Phillis might then visit Chloe, was received as a member of her family, and when the time came the marriage was celebrated by feasting and dancing, which usually lasted from three to four days. It may be mentioned here that when a refusal of marriage was made, the lady was said to have given her lover the pumpkin—*Se dio la cabala.*

The principal articles of food were beef and beans, in the cooking and preparing of which they were unsurpassed; while they cultivated, to a certain extent, maize, melons and pumpkins. The bread used was the *tortilla,* a wafer in the shape of the Jewish unleavened bread, which was, when not made of wheaten flour, baked from corn. When prepared of the last-named meal, it was first boiled in a weak lye made of wood ashes, and then by hand ground into a paste between two stones; this process completed, a small portion of the dough was taken out, and by dexterously throwing it up from the back of one hand to that of the other the shape was formed, when it was placed upon a flat iron and baked over the fire.

The mill in which their grain was ground was made of two stones as nearly round as possible, of about thirty inches in diameter, and each being dressed on one side to a smooth surface. One was set upon a frame some two feet high, with the smooth face upwards; the other was placed on this with the even face downwards, while, through an inch-hole in the center was the grain fed by hand. Two holes drilled partly through each admitted an iron bolt, by means of which a long pole was attached; to its end was harnessed a horse, mule, or donkey, and the animal being driven round in a circle, caused the stone to revolve. We are informed that these mills were capable of grinding a bushel of wheat in about twelve hours! Their vehicles and agricultural implements were quite as primitive, the cart in common use being framed in the following manner. The two wheels were sections of a log with a hole drilled or bored through the center, the axle being a pole sharpened at each extremity for spindles, with a hole and pin at either end to prevent the wheels from slipping off. Another pole fast-

ened to the middle of the axle served the purpose of a tongue. Upon this frame work was set, or fastened, a species of wicker work, framed of sticks, bound together with strips of hide. The beasts of burden were oxen, which were yoked with a stick across the forehead, notched and crooked so as to fit the head closely, and the whole tied with raw hide. The plow was a still more quaint affair. It consisted of a long piece of timber which served the purpose of a beam, to the end of which a handle was fastened; a mortise was next chiseled in order to admit the plow, which was a short stick with a natural crook, having a small piece of iron fastened on one end of it. With this crude implement was the ground upturned, while the branch of a convenient tree served the purposes of a harrow. Fences there were none so that crops might be protected; ditches were therefore dug, and the crests of the sod covered with the branches of trees, to warn away the numerous bands of cattle and horses, and prevent their intrusion upon the newly sown grain. When the crops were ripe they were cut with a sickle, or any other convenient weapon, and then it became necessary to thresh it. Now for the *modus operandi*. The floor of the corral into which it was customary to drive the horses and cattle to lasso them, from constant use, had become hardened. Into this inclosure the grain would be piled, and upon it the *manatha*, or band of mares, would be turned loose to tramp out the seed. The wildest horses, or mayhap the colts that had only been driven once, and then to be branded, would sometimes be turned adrift upon the straw, when would ensue a scene of the wildest confusion, the excited animals being urged, amidst the yelling of vaqueros and the cracking of whips, here, there and everywhere, around, across, and lengthwise, until the whole was trampled, and naught left but the grain and chaff. The most difficult part, however, was the separating these two articles. Owing to the length of the dry season there was no urgent haste to effect this; therefore, when the wind was high enough, the trampled mass would be tossed into the air with large wooden forks cut from the adjacent oaks, and the wind carry away the lighter chaff, leaving the heavier grain. With a favorable breeze several bushels of wheat could thus be winnowed in the course of a day; while, strange as it may appear, it is declared that grain so sifted was much cleaner than it is now, although manipulated by modern science.

The government of the native Californian was as primitive as himself. There were neither law-books nor lawyers, while laws were mostly to be found in the traditions of the people. The head officer in each village was the Alcalde, in whom was vested the judicial function, who received on the enactment of a new law a manuscript copy, called a *bando*, upon the obtaining of which a person was sent round beating a snare drum, which was a signal for the assemblage of the people at the Alcalde's office, where the Act was read, thus promulgated, and forthwith had the force of law. When a citizen had cause of action against another requiring the aid

of Court, he went to the Alcalde and verbally stated his complaint in his own way, and asked that the defendant be sent for, who was at once summoned by an officer, who simply said that he was wanted by the Alcalde. The defendant made his appearance without loss of time, where, if in the same village, the plaintiff was generally in waiting. The Alcalde commenced by stating the complaint against him, and asked what he had to say about it. This brought about an altercation between the parties, and nine times out of ten, the Justice could get at the facts in this wise, and announce judgment immediately, the whole suit not occupying two hours from its beginning. In more important cases three "good men" would be called in to act as co-justices, while the testimony of witnesses had seldom to be resorted to. A learned American judge has said that "the native Californians were, in the presence of their Courts, generally truthful. What they know of false swearing or perjury they have learned from their association with Americans. It was truthfully said by the late Edmund Randolph, that the United States Board of Commissioners to settle private land claims in California, had been the graves of their reputations."

They were all Roman Catholics, and their priests of the Franciscan Order. They were great church-goers, yet Sunday was not the only day set apart for their devotions. Nearly every day in the calendar was devoted to the memory of some Saint, while those dedicated to the principal ones were observed as holidays; so that Sunday did not constitute more than half the time which they consecrated to religious exercises, many of which were so much in contrast to those of the present day, that they deserve a short description.

The front door of their churches was always open, and every person passing, whether on foot or on horseback did so, hat in hand; any forgetfulness on this head caused the unceremonious removal of the sombrero. During the holding of services within, it was customary to station a number of men without, who at appointed intervals interrupted the proceedings with the ringing of bells, the firing of pistols, and the shooting of muskets, sustaining a noise resembling the irregular fire of a company of infantry.

In every church was kept a number of pictures of their saints, and a triumphal arch profusely decorated with artificial flowers; while, on a holiday devoted to any particular saint, after the performance of mass, a picture of the saint, deposited in the arch, would be carried out of the church on the shoulders of four men, followed by the whole congregation in double file, with the priest at the head, book in hand. The procession would march all round the town (if in one), and at every few rods would kneel on the ground while the priest read a prayer or performed some religious ceremony. After the circuit of the town had been made, the train returned to the church, entering it in the same order as that in which they had departed. With the termination of these exercises, horse-racing, cock-fighting,

gambling, dancing, and a general merry-making completed the work of the day. A favorite amusement of these festivals was for thirty or forty men on horseback, generally two, but sometimes three on one horse, with their guitars, to parade the towns, their horses capering and keeping time to the music, accompanied with songs by the whole company, in this manner visiting, playing and singing at all the places of business and principal residences; and it was considered no breach of decorum for men on horses to enter stores and dwellings.

Some of their religious ceremonies were very grotesque and amusing, the personification of "The Wise Men of the East" being of this character. At the supposed anniversary of the visit of the wise men to Bethlehem, seven or eight men would be found dressed in the most fantastic styles, going in company from house to house, looking for the infant Saviour. They were invariably accompanied by one representing the devil, in the garb of a Franciscan friar, with his rosary of beads and the cross, carrying a long rawhide whip, and woe to the man who came within reach of that whip—it was far from fun to him, though extremely amusing to the rest of the party. The chief of these ceremonies, however, was the punishment of Judas Iscariot for the betrayal of his Master. On the supposed periodicity of this event, after nightfall, and the people had retired to rest, a company would go out and prepare the forthcoming ceremonies. A cart was procured and placed in the public square in front of the church, against which was set up an effigy made to represent Judas, by stuffing an old suit of clothes with straw. The houses were then visited and a collection of pots, kettles, dishes, agricultural implements—in fact, every conceivable article of personal property was scraped together and piled up around Judas, to represent his effects, until in appearance he was the wealthiest man in the whole country. Then the last will and testament of Judas had to be prepared, a work which was accorded to the best scribe and the greatest wit of the community. Every article of property had to be disposed of, and something like an equal distribution among all the people made, each bequest being accompanied by some very pointed and witty reason for its donation. Among a more sensitive people, some of these reasons would be regarded as libelous. The will, when completed and properly attested, was posted on a bulletin board near the effigy, and the night's work was performed. As soon as sufficiently light, the entire population, men, women and children, congregated to see Judas and his wealth, and to hear read, and discuss the merits of his will and appropriateness of its provisions. Nothing else was talked of; nothing else was thought of, until the church bell summoned them to mass; after which, a wild, unbroken mare was procured, on the back of which Judas was firmly strapped; a string of fire-crackers was then tied to her tail, they were lighted, she was turned loose, and the ultimate fate of the figurative Judas was not unlike that which we are told occurred to his perfidious prototype.

The native Californians were a temperate people, intoxication being almost unknown. Wines and liquors existed in the country, but were sparingly used. In a saloon, where a "bit's worth" was called for, the decanter was not handed to the customer, as we believe is now the case, but was invariably measured out, and if the liquor was a potent spirit, in a very small dose; while a "bit's" worth was a *treat* for a considerable company, the glass being passed around from one to the other, each taking a sip. The following amusing episode in this regard, which occurred in the Pueblo de San José, in 1847, may find a place here. Juan Soto, an old gray-headed man and a great friend to Americans—for everyone who spoke English was an American to him—had come into possession of a "bit," and being a generous, whole-souled man, he desired to *treat* five or six of his friends and neighbors. To this end he got them together, marched them to Weber's store, and there meeting ——, who tho' hailing from the Emerald Isle, passed for an American, invited him to join in the *symposium*. The old Spaniard placed his "bit" upon the counter with considerable *éclat*, and called for its value in wine, which was duly measured out. As a mark of superior respect he first handed it to ——, who, wag that he was, swallowed the entire contents, and awaited the *denoument* with keen relish. Soto and his friends looked at each other in blank amazement, when there burst out a tirade in their native tongue, the choice expressions in which may be more readily imagined than described.

There was one vice that was common to nearly all of these people, and which eventually caused their ruin, namely, a love of gambling. Their favorite game was *monté*, probably the first of all banking games. So passionately were they addicted to this, that on Sunday, around the church, while the women were inside and the priest at the altar, crowds of men would have their blankets spread upon the ground with their cards and money, playing their favorite game of *monté*. They entertained no idea that it was a sin, nor that there was anything derogatory to their character as good Christians. This predilection was early discovered and turned to account by the Americans, who soon established banks, and carried on games for their amusement especially. The passion soon became so developed that they would bet and lose their horses and cattle, while to procure money to gratify this disposition, they would borrow from Americans at the rate of twelve and a half per cent. per *day*; mortgaging and selling their lands and stock, yea, even their wives' clothing, so that their purpose should be gratified, and many unprincipled Westerns of those days enriched themselves in this manner at the expense of these poor creatures.

Before leaving this people, mention should be made of their bull and bear fights. Sunday, or some prominent holiday, was invariably the day chosen for holding these, to prepare for which a large corral was erected (in San José) in the plaza, in front of the church, for they were witnessed by priest

and layman alike. In the afternoon, after divine service, two or three good bulls (if a bull-fight only) would be caught and put in the inclosure, when the combat commenced. If there is anything that will make a wild bull furious it is the sight of a red blanket. Surrounded by the entire population, the fighters entered the arena, each with one of these in one hand and a knife in the other, the first of which they would flaunt before the furious beast, but guardedly keeping it between the animal and himself. Infuriated beyond degree, with flashing eye and head held down, the bull would dash at his enemy, who, with a dexterous side spring would evade the onslaught, leaving the animal to strike the blanket, and as he passed would inflict a slash with his knife. Whenever by his quickness he could stick his knife in the bull's neck just behind the horns, thereby wounding the spinal cord, the bull fell a corpse and the victor received the plaudits of the admiring throng. The interest taken in these exhibitions was intense; and, what though a man was killed, had his ribs broken, was thrown over the fence, or tossed on to the roof of a house; it only added zest to the sport, it was of no moment, the play went on. It was a national amusement. When a grizzly bear could be procured, then the fight, instead of being between man and bull, was between bull and bear. Both were taken into the corral, each being made fast to either end of a rope of sufficient length to permit of free action, and left alone until they chose to open the ball. The first motion was usually made by the bull endeavoring to part company with the bear, who thus received the first "knock-down." On finding that he could not get clear of Bruin, he then charged him, but was met half-way. If the bear could catch the bull by the nose, he held him at a disadvantage, but he more frequently found that he had literally taken the bull by the horns, when the fight became intensely interesting, and was kept up until one or other was killed, or both refused to renew the combat. The bull, unless his horns were clipped, was generally victorious.

The custom of bull and bear fighting was kept up by the native Californians, as a money-making institution from the Americans, until the year 1854, when the Legislature interposed by "An Act to prevent Noisy and Barbarous Amusements on the Sabbath."

The following anecdote in regard to it has been related to us, and may serve to vary the tedium of the reader. Shortly after the foregoing enactment became a law, great preparations were made for having a bull fight, on the Sabbath as usual, at the old Mission of San Juan Bautista. They were notified by the officers of the existence of the new law, and that they must desist from the undertaking. Doctor Wiggins, a Mission pioneer in California since 1842, was then residing at San Juan; he spoke Spanish fluently, and was looked upon as a great friend by the native Californians. He never smiled, nor appeared to jest—yet, he was the greatest tale-teller, jester and punster on the Pacific coast. In sallies of genuine wit he stood

unequaled. In their perplexity about the new law, the Californians took counsel with the doctor; he examined the title of the Act with much seriousness and an air of great wisdom: "Go on with your bull-fights." was the doctor's advice; "they can do nothing with you. This is an Act to prevent noisy and barbarous amusements on the Sabbath. If they arrest you, you will be entitled to trial by jury; the jury will be Americans; they will, before they can convict you, have to find three things; first, that a bull-fight is noisy; this they will find against you; second, that it is barbarous; this they will find against you; *but an American jury will never find that it is an amusement in Christ's time.* Go on with your bull-fights." They did go on and were arrested, to find that the doctor had been practising a cruel joke on this long-cherished institution. They were sentenced to pay a fine, and it was the last of the bull-fights. Thus passed away the only surviving custom of a former civilization.

The history of the settlement of any county of California follows so sequentially, and is so closely allied to the history of the Pacific Coast in general, and this State in particular, that to commence the chronicling of events from the beginning naturally and properly takes us back to the early discoveries in this portion of the globe, made by the hardy old *voyageurs* who left the known world and charted seas behind them and sailed out into an unknown, untraversed, unmapped and trackless main, whose mysteries were to them as incomprehensible as are those of that "undiscovered country" of which Hamlet speaks.

In the year 1728 a Dane named Vitus Bering, was employed by Catharine of Russia to proceed on an exploring expedition to the northwest coast of America and Asia, to find, if possible, an undiscovered connection between the Atlantic and Pacific oceans. On this voyage he solved the riddle and gave to the world the straits which now bear his name. On his return he tendered to the Empress the handsome skins which he had procured on his cruise, and so delighted was she, and so excited was the cupidity of capitalists from other countries, that soon settlements were established on the coast, and the collection of furs commenced. In 1799 the Russian American Fur Company was organized and located in what is now known as Alaska; Sitka was founded in 1805; and for many years the neighbors of the Russ were the Austrians and Danes. Now came the British. An association known as the King George's Sound Company was organized in London in 1784, for the purpose of making a settlement on the Pacific Coast, whither many of their vessels found their way up till 1790. Between the years 1784 and 1790, the coast was visited by ships of the East India Company, and about the last-named year craft of the United States were first seen in these waters.

The ship *Columbia*, Robert Gray, Captain, arrived at the Straits of Fuca, June 5, 1791, and traded along the coast, discovering the Columbia

River, which he named after his vessel, May 7, 1792. In 1810, a number of hunters and trappers arrived in the ship *Albatross*, Captain Smith, and established the first American settlement on the Pacific Coast. In the same year, under the leadership of John Jacob Astor, the Pacific Fur Company was organized in New York, and in 1811, they founded the present town of Astoria, at the mouth of the Columbia River. The British, however, soon after wrested it from their hands and drove all the Americans out of the country, many of whom found their way into California. Between the years 1813 and 1822, save deserters from vessels, and those connected with trading-posts, there were no Americans on the coast.

In his "Natural Wealth of California," Titus Fey Cronise informs us that from 1825 until 1834 the whole of the California trade was in the hands of a few Boston merchants. A voyage to this coast and back, during that time, was an enterprise of very uncertain duration, generally occupying two or three years. The outward cargo, which usually consisted of groceries and coarse cotton goods, had to be retailed to the missionaries and settlers, as there were no "jobbers" in those times, and neither newspapers, telegraphs, nor stages through which to inform customers of the ship's arrival. The crew had to travel all over the country to convey the news, which occupied considerable time. It was this portion of their duties that caused so many of them to desert their ships. They saw so much of the country, became so charmed with the freedom, ease and plenty that prevailed everywhere, that they preferred to remain on shore. Each of these vessels generally brought several young men as adventurers, who worked their passage out for the privilege of remaining. Many of the early settlers, whose children are now among the wealthiest citizens of the State, came to California in this manner.

The outward cargo being disposed of, the homeward one had to be procured. Sometimes, when the season had been too dry, or too wet for the lazy vaqueros to drive the cattle into the Missions to kill, there were no hides nor tallow to be had. On such occasions the vessel was obliged to remain till the next season, when a sufficient number of cattle would be slaughtered to pay for the goods purchased, as there was no "currency" used in the country, except hides and tallow.

First in California of an alien race to settle was John Cameron, but who had assumed his mother's maiden name of Gilroy, and was thus afterwards known. He was born in the County of Inverness, Scotland, in the district of Lochaber, in the year 1794, and in the year 1813 arrived in Monterey, in one of Her Britannic Majesty's ships, on board of which he was rated as coxswain of the captain's gig. From here he deserted, with a comrade known as "Deaf Jimmy," and waiting, carefully hidden, until the vessel had departed, the two friends, in their search for employment, found their way into the Santa Clara Valley. Gilroy established himself at the

little town of San Ysidro, now generally called Old Gilroy, in contradistinction to the new town of Gilroy, where he married and remained till his death, which occurred in July, 1869. His *confrére* came to the north of the Bay, and died in Sonoma County. At this time there were not half-a-dozen foreign settlers in the whole country, save the Russians, who, it will be remembered, then occupied Bodega and Fort Ross, on the coast, while from San Francisco to Los Angeles there were only eight ranchos, the property of Mexican colonists.

Prior to the year 1820 the manner of living was most primitive, and had it not been that horses were plentiful the mode of locomotion would have, of a necessity, been confined to pedestrianism, for, as there were no roads, there were no vehicles, while the wheels of those which existed were innocent of fellah, spoke, hub and tire. Not a hotel nor house of public entertainment was to be found throughout the length and breadth of the land, while there was no sawed timber, that used for building being hewn with axes by Indians. A fire-place or stove was unknown in a dwelling, nor did these come into use until 1846, after the American occupation.

In the year 1823 application was made by Francisco Castro to the Mexican authorities for the San Pablo Rancho, and by Ignacio Martinez for that of Pinole, each to the extent of four leagues. In the following year these gentlemen, the actual pioneer settlers in what is at present Contra Costa county, constructed adobe residences, planted vineyards and orchards, erected corrals for their stock and otherwise commenced the work of reclaiming and improving. How few were the settlers then. Their nearest neighbors were the Peralta family at San Antonio, and the Castros at San Lorenzo. In 1826, José Maria Amador acquired and settled upon the San Ramon Rancho, but either of these were within the confines of which we write. The next accession to the strength of the little coterie was in the year 1828 when Valencia occupied the Acalanes Rancho, (at Lafayette), Felipe Briones the rancho which bears his name, and Moraga the Redwood Rancho, or Lagunas Palos Colorados. Soon after locating, however, Briones was slain near where now stands the town of Clayton by some Indians, who had made their way from the San Joaquin plain on a predatory expedition for horses, some of which they were driving away. Salvio Pacheco, during this year, came to the Rancho Monte del Diablo, and established himself near where the village of Concord has since sprung, where he resided until his death on August 9, 1876, at the ripe age of eighty-five years. About the same time application was made by Doña Juana Pacheco, a widow, for the Rancho San Miguel, and having acquired it dispatched her nephew Ygnacio Sibrian to occupy it, while she maintained her residence in the Pueblo de San José, Sibrian building an adobe residence near Walnut Creek, not far from the present home of William Rice. These persons afterwards obtained grants of four leagues each. Upon the San

Ramon Rancho Mariano Castro, and Bartolo Pacheco settled during the year 1832, near where Leo Norris resides; while about the same period, William Welch, a Scotchman by birth, petitioned for and obtained the tract of land known as the Welch Rancho, on which a portion of the county seat, Martinez, is located. Welch did not long reside on his property in consequence of the hostility of the Indians; he therefore removed his family to San José, and afterwards established a head-quarters at the place near Walnut Creek, now known as the Welch Homestead. In this year, or in 1833, the Romero brothers settled in Tice valley and made application for a grant to the *sobrante*, or vacant land, which lay between the Ranchos of San Ramon, Welch, Acalanes and Moraga, a prayer which was denied many years after.

In the year 1835 thirty citizens, styling themselves as of the Ranchos of the north, that is of districts to the north of the Bay, presented the following petitions to the Governor, which are produced as being a portion of history connected with Contra Costa. It is a desire on their part to belong to the jurisdiction of San José, rather than that of San Francisco:

"*To His Excellency the Governor:*

"The residents of the adjoining ranchos of the north, now belonging to the jurisdiction of the port of San Francisco, with due respect to your Excellency, represent: That finding great detriment, and feeling the evils under which they labor from belonging to this jurisdiction, whereby they are obliged to represent to your Excellency that it causes an entire abandoning of their families for a year by those who attend the judiciary functions and are obliged to cross the Bay. Truthfully speaking, to be obliged to go to the port by land, we are under the necessity of traveling forty leagues, going and coming back; and to go by sea we are exposed to the danger of being wrecked. By abandoning our families, as above stated, it is evident that they must remain without protection against the influences of malevolent persons; they are also exposed to detention and loss of labor and property, and injury by animals. There is no lodging to be had in that port, where, for a year, an *ayuntamiento* is likely to detain them, and, should they take their families, incurring heavy expenses for their transportation and necessary provisioning for the term of their engagement, there is no accommodation for them. Wherefore, in view of these facts, they pray your Excellency to be pleased to allow them to belong to the jurisdiction of the town of San José, and recognize a commission of justice that will correspond with the said San José as capital for the people in this vicinity; wherefore, we humbly pray your Excellency to favor the parties interested by acceding to their wishes.

"San Antonio, San Pablo, and the adjacent ranchos north, May 30, 1835."

It is unnecessary here to produce the names of the signers of the document; rather permit us to dwell upon the changes rung by time since then.

Seven and forty years ago the Bay was indeed a veritable "sea of trouble" to those rancheros; it is now crossed in half the number of minutes that years have elapsed. Where there were no accomodations, the finest and best conducted hotels in the world have sprung up as if by magic, while travel by land has been rendered secure, inexpensive, comfortable and expeditious. Such a wonderful transformation is hard to realize, but the facts speak for themselves.

In due course of time the document was received at Monterey. Let us follow it: Under date August, 12, 1835, it was endorsed: "Let it be kept to be reported to the deputation." September 1st, it was docketed: "On this day the same was reported and referred to the Committee on Government," who, September 5th, reported as follows:

"*Most Excellent Sir*:—We, The Committee on Government, being required to report upon the memorial, with the parties subscribed thereto, made to the Political Chief on the 30th day of May last, find that the said memorial is grounded upon good reasons and public convenience; but as the subject should be considered upon proper reports for a due determination, the Committee is of opinion that the reports of the Ayuntamientos of the towns of San José and San Francisco are required for that purpose: Therefore the Committee offers, for the deliberation of the most Excellent Deputation, the following propositions: 1st—That this *expediente* be referred to the Ayuntamientos of the towns of San José and San Francisco, in order that they report upon said memorial. 2d—That after which, the same be returned for determination.

"Man'l Jimeno,
"Salvio Pacheco."

"Monterey, September 10, 1835.—At the session of this day the most Exalted Deputation has approved the two propositions made in the report of the Committee on Government.

"Manuel Jimeno."

"Monterey, September 28, 1835.—Let this *expediente* be forwarded to the Ayuntamiento of the town (*pueblo*) of San José Guadalupe, for a report upon the prayer of the foregoing memorial, and to that of San Francisco for the like purpose. The Ayuntamiento of the latter town will, moreover, give a list of the residents of the vicinity of the same. Don José Castro, senior member of the most Excellent Territorial Deputation, and Superior Political Chief of Upper California, thus commanded, decreed, and signed this, which I attest.

"Jose Castro.

"Fran'co del Calsello Negrete, Sec'y.

"In pursuance of the foregoing Supreme Order of Your Excellency this Ayuntamiento begs to state the following: That with regard to the residents on the northern vicinity, now under the jurisdiction of San Fran-

cisco, and who in their memorial prayed to be exempted from belonging to that jurisdiction, having indispensably to cross the bay, or to travel upwards of forty leagues; while on half their way they can come to this town (*pueblo*), under the jurisdiction of which they formerly were, which was most suitable and less inconvenient to them; this Ayuntamiento thinks that their prayer should be granted, if it is so found right.

"ANTONIO MA. PICO,
"IGNACIO MARTINEZ.

"JOSE BERRYESSA, Secretary.

"Town of San José Guadalupe, November 4, 1835."

In a response, or rather a remonstrance, the complaints of the petitioners were treated as frivolous by the Ayuntamiento of San Francisco, who rebuked them for their want of patriotism; and were asked if their service of having traveled a paltry forty leagues could bear the slightest comparison with those of others who had journeyed hundreds of leagues in the interior, and some who had gone on public service from San Francisco to San Diego.

About the year 1836 José Miguel and Antonio Mesa, two brothers, settled near Kirker's Pass, on the New York Rancho, and were granted two leagues under the name of Los Medanos; and at the same period Miranda Higuera and Alviso made application for and obtained three square leagues of land, known as the Cañada de los Vaqueros. José Noriega also, at this epoch, had granted to him the Rancho Los Meganos, which, in 1837, he sold to Doctor John Marsh. This brings us to the first American settler in Contra Costa county.

Doctor John Marsh left the United States in the year 1835, proceeded to New Mexico, and after traversing a portion of Old Mexico, crossed the Colorado at its junction with the Gila, and entered Southern California. He afterwards traveled northward, and in 1837 purchased the Los Meganos Rancho which has since been popularly known as the Marsh Grant. This tract of land, which he describes as being about ten miles by twelve in extent, he designated the Farm of Pulpunes, whence in 1846, he indited a letter to Hon. Lewis Cass, which was first published in 1866 by the *Contra Costa Gazette*, to whose columns we refer the reader. In that communication he informs Mr. Cass that it had been usual to estimate the population of California at five thousand persons of Spanish descent, and twenty thousand Indians. This is declared to be an error, the actual number being in round numbers, seven thousand Spaniards, ten thousand civilized or domesticated Indians, and about seven hundred Americans, one hundred English, Irish, and Scotch, with about a like number of French, Germans and Italians. The Doctor farther remarks: "Within the territorial limits of Upper California, taking the parallel of forty-two degrees for the northern and the Colorado River for the southeastern boundary, are an immense

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number of wild, naked, brute Indians. The number of course can only be conjectured. They probably exceed a million, and may perhaps amount to double that number. The far-famed Missions of California no longer exist. They have nearly all been broken up, and the lands apportioned out into farms. They were certainly munificent ecclesiastical baronies, and although their existence was quite incompatible with the general prosperity of the country, it seems almost a pity to see their downfall. The immense piles of buildings and beautiful vineyards and orchards are all that remain, with the exception of two in the southern part of the territory, which still retain a small remnant of their former prosperity." He goes on to inform his friend of the salubrity of California's climate; its topographical beauties and advantages; its agricultural possibilities; its then commerce; its government, and the manners and customs of the Indians, all a valuable addition to the early history of California.

The Doctor established his residence in a small adobe building not far from where he built the famous "Stone House," where he lived a most solitary life, having but few neighbors whose homes averaged a distance from his of from twelve to forty miles.

The owners of the ranchos usually employed a few vaqueros to herd and take care of their stock, who were generally mission or christianized Indians; the rancheros themselves being very hospitably inclined, although that extended was of a most primitive nature, yet, though deprived of society and comparatively alone they were uniformly contented and apparently happy.

But little attention was given to tilling the soil, further than the cultivation of the necessary beans, corn, potatoes, and melons necessary for home consumption, while nearly all the rancheros on locating planted small vineyards and orchards, many of which bear fruit to this day. What are termed "improvements" were rare; an adobe house and a corral seemed all that was desirable.

In 1846 the war between the United States and Mexico broke out, and at its close in the following year, the persons above enumerated possessed, within the present boundaries of Contra Costa county, no less than forty-six leagues of land, embracing an area of about three hundred and twenty square miles.

No history of a county in California would be complete without some relation of the tragic end of the Donner party; we have therefore taken the liberty of reproducing the excellent description of their sufferings from Tuthill's History of California:

"Of the overland emigration to California, in 1846, about eighty wagons took a new route from Fort Bridger around the south end of Great Salt Lake. The pioneers of the party arrived in good season over the mountains; but Mr. Reed's and Mr. Donner's companies opened a new route

through the desert, lost a month's time by their explorations, and reached the foot of the Truckee pass, in the Sierra Nevada, on the 31st of October, instead of the 1st, as they had intended. The snow began to fall on the mountains two or three weeks earlier than usual, that year, and was already so piled up in the pass, that they could not proceed. They attempted it repeatedly, but were as often forced to return. One party built their cabins near the Truckee Lake, killed their cattle, and went into Winter quarters. The other (Donner's) party, still believed that they could thread the pass, and so failed to build their cabins before more snow came and buried their cattle alive. Of course they were soon utterly destitute of food, for they could not tell where the cattle were buried, and there was no hope of game on a desert so piled with snow that nothing without wings could move. The number of those who were thus storm-stayed, at the very threshold of the land whose Winters are one long Spring, was eighty, of whom thirty were females, and several children. The Mr. Donner, who had charge of one company, was an Illinoisian, sixty years of age, a man of high respectability and abundant means. His wife was a woman of education and refinement, and much younger than he.

"During November it snowed thirteen days; during December and January, eight days each. Much of the time the tops of the cabins were below the snow level.

"It was six weeks after the halt was made that a party of fifteen, including five women, and two Indians who acted as guides, set out on snow-shoes to cross the mountains, and give notice to the people of the California settlements of the condition of their friends. At first the snow was so light and feathery that even in snow-shoes they sank nearly a foot at every step. On the second day they crossed the 'divide,' finding the snow at the summit twelve feet deep. Pushing forward with the courage of despair, they made from four to eight miles a day.

"Within a week they got entirely out of provisions, and three of them succumbing to cold, weariness and starvation, had died. Then a heavy snow-storm came on, which compelled them to lie still, buried between their blankets under the snow, for thirty-six hours. By the evening of the tenth day three more had died, and the living had been four days without food. The horrid alternative was accepted—they took the flesh from the bones of their dead, remained in camp two days to dry it, and then pushed on.

"On New Year's, the sixteenth day since leaving Truckee lake, they were toiling up a steep mountain. Their feet were frozen. Every step was marked with blood. On the second of January, their food again gave out. On the third, they had nothing to eat but the strings of their snow-shoes. On the fourth, the Indians eloped, justly suspicious that they might be sacrificed for food. On the fifth they shot a deer, and that day one of their number died. Soon after three others died, and every death now eked

out the existence of the survivors. On the seventh, all gave out, and concluded their wanderings useless, except one. He, guided by two stray friendly Indians, dragged himself on till he reached a settlement on Bear river. By midnight the settlers had found and were treating with all Christian kindness what remained of the little company that after more than a month of the most terrible sufferings, had that morning halted to die.

"The story that there were emigrants perishing on the other side of the snowy barrier ran swiftly down the Sacramento valley to New Helvetia, and Captain Sutter, at his own expense, fitted out an expedition of men and of mules laden with provisions, to cross the mountains and relieve them. It ran on to San Francisco, and the people, rallying in public meeting, raised fifteen hundred dollars and with it fitted out another expedition. The naval commandant of the port fitted out still others.

"The first of the relief parties reached Truckee lake on the nineteenth of February. Ten of the people in the nearest camp were dead. For four weeks those who were still alive had fed only on bullocks' hides. At Donner's camp they had but one hide remaining. The visitors left a small supply of provisions with the twenty-nine whom they could not take with them, and started back with the remainder. Four of the children they carried on their backs.

"Another of the relief parties reached Truckee lake on the first of March. They immediately started back with seventeen of the sufferers; but, a heavy snow-storm overtaking them, they left all, except three of the children, on the road. Another party went after those who were left on the way; found three of them dead, and the rest sustaining life by feeding on the flesh of the dead.

"The last relief party reached Donner's camp late in April, when the snows had melted so much that the earth appeared in spots. The main cabin was empty, but some miles distant they found the last survivor of all lying on the cabin-floor smoking his pipe. He was ferocious in aspect, savage and repulsive in manner. His camp-kettle was over the fire, and in it his meal of human flesh preparing. The stripped bones of his fellow-sufferers lay around him. He refused to return with the party, and only consented when he saw there was no escape.

"Mrs. Donner was the last to die. Her husband's body, carefully laid out and wrapped in a sheet, was found at his tent. Circumstances led to the suspicion that the survivor had killed Mrs. Donner for her flesh and her money, and when he was threatened with hanging, and the rope tightened around his neck, he produced over five hundred dollars in gold, which, probably, he had appropriated from her store."

Apropos to this dreary story of suffering, we conclude it by the narrative of a prophetic dream of George Yount, attended as it was, with such marvelous results.

At this time (the Winter of 1846–7), while residing in Napa county, of which he was the pioneer settler, he dreamt that a party of emigrants were snow-bound in the Sierra Nevada, high up in the mountains, where they were suffering the most distressing privations from cold and want of food. The locality where his dream had placed these unhappy mortals he had never visited, yet so clear was his vision that he described the sheet of water surrounded by lofty peaks, deep-covered with snow, while on every hand towering pine trees reared their heads far above the limitless waste. In his sleep he saw the hungry human beings ravenously tear the flesh from the bones of their fellow-creatures, slain to satisfy their craving appetites, in the midst of a weird and gloomy desolation. He dreamed his dream on three successive nights, after which he related it to others, among whom were a few who had been on hunting expeditions in the Sierras. These wished for a precise description of the scene foreshadowed to him. They recognized the Truckee Lake. On the strength of this recognition Mr. Yount fitted out a search expedition, and with these men as guides, went to the place indicated, and prodigious to relate, was one of the successful relieving bands to reach the ill-fated Donner party,

And now there began to settle in the vast California valleys that intrepid band of pioneers, who having scaled the Sierra Nevada with their wagons, trains and cattle, began the civilizing influences of progress on the Pacific Coast. Many of them had left their homes in the Atlantic, Western and Southern States with the avowed intention of proceeding direct to Oregon. On arrival at Fort Hall, however, they heard glowing accounts of the salubrity of the California climate and the fertility of its soil; they therefore turned their heads southward and steered for the wished-for haven. At length, after weary days of toil and anxiety, fatigued and foot-sore, the promised land was gained. And what found they? The country, in what valley soever, we wot, was an interminable grain field; mile upon mile, and acre after acre, wild oats grew in marvelous profusion, in many places to a prodigious height—one great, glorious green of wild, waving corn —high over head of the wayfarer on foot, and shoulder-high with the equestrian; wild flowers of every prismatic shade charmed the eye, while they vied with each other in the gorgeousness of their color, and blended into dazzling splendor. One breath of wind, and the wide Emerald expanse rippled itself into space, while with a heavier breeze came a swell whose rolling waves beat against the mountain sides, and, being hurled back, were lost in the far-away horizon; shadow pursued shadow in a long, merry chase; the air was filled with the hum of bees, the chirrup of birds, and an overpowering fragrance from the various plants weighted the air. The hill-sides, over-run as they were with a dense mass of tangled jungle, were hard to penetrate, while in some portions the deep dark gloom of the forest trees lent relief to the eye. The almost boundless range was inter-

sected throughout with divergent trails, whereby the traveler moved from point to point, progress being, as it were, in darkness on account of the height of the oats on either side, and rendered dangerous in the valleys by the bands of untamed cattle, sprung from the stock introduced by the Mission Fathers. These found food and shelter on the plains during the night; at dawn they repaired to the higher grounds to chew the cud and bask in the sunshine. At every yard coyotes sprang from beneath the feet of the *voyageur*. The hissing of snakes, the frightened rush of lizards, all tended to heighten the sense of danger, while the flight of quail and other birds, the nimble run of the rabbit, and the stampede of elk and antelope, which abounded in thousands, added to the charm, causing him, be he whosoever he may, pedestrian or equestrian, to feel the utter insignificance of man, the "noblest work of God."

On the tenth day of October, 1846, there arrived in California a family whose name is indelibly associated with the history of Contra Costa. The Hon. Elam Brown and his family can never be forgotten in the chronicles of the county.

After being present during the seige of Santa Clara by the mounted Californians under Colonel Sanchez, when he served in its defence, Mr. Brown passed the Summer of 1847 in the redwoods lying between Moraga valley and San Antonio, now in Alameda county, and finally purchased the Acalanes Rancho in that year, where he settled and still resides, with his wife, who came to California in the same year. The Honorable Elam Brown was a delegate from the district of San José to the Convention which organized in Monterey on September 1, 1849, and is one of the few surviving members of the Legislature that held their first session in San José.

Among the names of those who arrived in California in 1846, besides Mr. Brown, and who afterwards became interested in Contra Costa, were: Nathaniel Jones, the first Sheriff of the county, J. D. Taber, James M. Allen, Leo Norris, John M. Jones and S. W. Johnson. Most of these gentlemen are still alive and look good for many more years of usefulness.

We now come to the eventful year of the Discovery of Gold, but in introducing the reader to the circumstances attending the finding of the precious metal, we would first desire to put him in possession of the fact, that the prevailing opinion that the first discovery of gold in California was that made at Sutter's Mill is an erroneous one, and must therefore give way to the evidence furnished by Mr. Abel Stearns of its earlier discovery by some six years, in the vicinity of Los Angeles. Mr. Stearns has now been a resident of California nearly, if not quite, forty years, and is widely known as a man of unquestionable veracity. The following letter, stating some of the facts relating to the early discovery of gold, was furnished in response to a request of the Secretary of the California Pioneers:

"Los Angeles, July 8, 1867.

"Louis R. Lull, Sec'y of the Society of California Pioneers, San Francisco:

"*Sir*—On my arrival here from San Franciseo, some days since, I received your letter of June 3d, last past, requesting the certificate of the assay of gold sent by me to the Mint at Philadelphia in 1842. I find by referring to my old account books that November 22, 1842, I sent by Alfred Robinson (who returned from California to the States by way of Mexico,) twenty ounces California weight (eighteen and three-fourths' ounces Mint weight) of placer gold, to be forwarded by him to the United States Mint at Philadelphia, for assay.

"In his letter to me, dated August 6, 1843, you will find a copy from the Mint assay of the gold, which letter I herewith inclose to you to be placed in the archives of the Society.

"The placer mines, from which this gold was taken, were first discovered by Francisco Lopez, a native of California, in the month of March, 1842, at a place called San Francisquito, about thirty-five miles northwest from this city (Los Angeles.)

"The circumstances of the discovery by Lopez, as related by him, are as follows: Lopez, with a companion, were out in search of some stray horses, and about mid-day they stopped under some trees and tied their horses out to feed, they resting under the shade, when Lopez, with his sheath-knife, dug up some wild onions, and in the dirt discovered a piece of gold, and searching further found some more. He brought these to town and showed them to his friends, who at once declared there must be a placer of gold. This news being circulated, numbers of the citizens went to the place and commenced prospecting in the neighborhood and found it to be a fact that there was a placer of gold. After being satisfied most persons returned; some remained, particularly Sonorenses (Sonorians), who were accustomed to work in placers. They met with good success.

"From this time the placers were worked with more or less success, and principally by Sonorenses (Sonorians), until the latter part of 1846, when most of the Sonorenses left with Captain Flores for Sonora.

"While worked there were some six or eight thousand dollars taken out per annum.

"Very respectfully yours,

"Abel Stearns."

It is also a fact fully established that the existence of gold was known to the aborigines long prior even to this date. Let us turn, however, to that epoch which has earned for California the name of the Golden State.

Who does not think of '48 with feelings almost akin to inspiration?

The year 1848 is one wherein was reached the nearest attainment of the discovery of the Philosopher's stone which it has been the lot of Chris-

tendom to witness. On January 19th gold was discovered at Coloma, on the American River, and the most unbelieving and cold-blooded were, by the middle of Spring, irretrievably bound in its fascinating meshes. The wonder is the discovery was not made earlier. Emigrants, settlers, hunters, practical miners, scientific exploring parties had camped on, settled in, hunted through, dug in and ransacked the region, yet never found it; the discovery was entirely accidental. Franklin Tuthill, in his "History of California," tells the story in these words: "Captain Sutter had contracted with James W. Marshall in September, 1847, for the construction of a saw-mill in Coloma. In the course of the Winter a dam and race were made, but when the water was let in the tail-race was too narrow. To widen and deepen it, Marshall let in a strong current of water directly to the race, which bore a large body of mud and gravel to the foot.

"On the 19th of January, 1848, Marshall observed some glittering particles in the race, which he was curious enough to examine. He called five carpenters on the mill to see them; but though they talked over the possibility of its being gold, the vision did not inflame them. Peter L. Weimar claims that he was with Marshall when the first piece of 'yellow stuff' was picked up. It was a pebble weighing six pennyweights and eleven grains. Marshall gave it to Mrs. Weimar, and asked her to boil it in saleratus water and see what came of it. As she was making soap at the time, she pitched it into the soap kettle. About twenty-four hours afterward it was fished out and found all the brighter for its boiling.

"Marshall, two or three weeks later, took the specimens below and gave them to Sutter to have them tested. Before Sutter had quite satisfied himself as to their nature, he went up to the mill, and, with Marshall, made a treaty with the Indians, buying of them their titles to the region round about, for a certain amount of goods. There was an effort made to keep the secret inside the little circle that knew it, but it soon leaked out. They had many misgivings and much discussion whether they were not making themselves ridiculous; yet by common consent all began to hunt, though with no great spirit, for the 'yellow stuff' that might prove such a prize.

"In February, one of the party went to Yerba Buena, taking some of the dust with him. Fortunately he stumbled upon Isaac Humphrey, an old Georgian gold-miner, who, at the first look at the specimens, said they were gold, and the diggings must be rich. Humphrey tried to induce some of his friends to go up with him to the mill, but they thought it a crazy expedition, and left him to go alone. He reached there on the 7th of March. A few were hunting for gold, but rather lazily, and the work on the mill went on as usual. Next day he began 'prospecting,' and soon satisfied himself that he had struck a rich placer. He made a rocker, and then commenced work in earnest.

"A few days later, a Frenchman, Baptiste, formerly a miner in Mexico,

left the lumber he was sawing for Sutter at Weber's, ten miles east of Coloma, and came to the mill. He agreed with Humphrey that the region was rich, and, like him, took to the pan and rocker. These two men were the competent, practical teachers of the crowd that flocked in to see how they did it. The lesson was easy, the process simple. An hour's observation fitted the least experienced for working to advantage."

Slowly and surely, however, did these discoveries creep into the minds of those at home and abroad; the whole civilized world was set agog with the startling news from the shores of the Pacific. Young and old were seized with the California fever; high and low, rich and poor, were infected by it; the prospect was altogether too gorgeous to contemplate. Why, they could actually pick up a fortune for the seeking it! Positive affluence was within the grasp of the weakest; the very coast was shining with the bright metal, which could be obtained by picking it out with a knife.

Says Tuthill: "Before such considerations as these, the conservatism of the most stable bent. Men of small means, whose tastes inclined them to keep out of all hazardous schemes and uncertain enterprises, thought they saw duty beckoning them around the Horn, or across the Plains. In many a family circle, where nothing but the strictest economy could make the two ends of the year meet, there were long and anxious consultations, which resulted in selling off a piece of the homestead or the woodland, or the choicest of the stock, to fit out one sturdy representative to make a fortune for the family. Hundreds of farms were mortgaged to buy tickets for the land of gold. Some insured their lives and pledged their policies for an outfit. The wild boy was packed off hopefully. The black sheep of the flock was dismissed with a blessing, and the forlorn hope that, with a change of skies, there might be a change of manners. The stay of the happy household said, 'Good-bye, but only for a year or two,' to his charge. Unhappy husbands availed themselves cheerfully of this cheap and reputable method of divorce, trusting time to mend or mar matters in their absence. Here was a chance to begin life anew. Whoever had begun it badly, or made slow headway on the right course, might start again in a region where Fortune had not learned to coquette with and dupe her wooers.

"The adventurers generally formed companies, expecting to go overland or by sea to the mines, and to dissolve partnership only after a first trial of luck, together in the 'diggings.' In the Eastern and Middle States they would buy up an old whaling ship, just ready to be condemned to the wreckers, put in a cargo of such stuff as they must need themselves, and provisions, tools, or goods, that must be sure to bring returns enough to make the venture profitable. Of course, the whole fleet rushing together through the Golden Gate, made most of these ventures profitless, even when the guess was happy as to the kind of supplies needed by the Californians.

It can hardly be believed what sieves of ships started, and how many of them actually made the voyage. Little river-steamers, that had scarcely tasted salt-water before, were fitted out to thread the Straits of Magellan, and these were welcomed to the bays and rivers of California, whose waters some of them plowed and vexed busily for years afterwards.

"Then steamers, as well as all manner of sailing vessels, began to be advertised to run to the Isthmus; and they generally went crowded to excess with passengers, some of whom were fortunate enough, after the toilsome ascent of the Chagres river, and the descent either on mules or on foot to Panama, not to be detained more than a month waiting for craft that had rounded the Horn, and by which they were ticketed to proceed to San Francisco. But hundreds broke down under the horrors of the voyage in the steerage; contracted on the Isthmus the low typhoid fevers incident to tropical marshy regions, and died.

"The overland emigrants, unless they came too late in the season to the Sierras, seldom suffered as much, as they had no great variation of climate on their route. They had this advantage too, that the mines lay at the end of their long road; while the sea-faring, when they landed, had still a weary journey before them. Few tarried longer at San Francisco than was necessary to learn how utterly useless were the patent mining contrivances they had brought, and to replace them with pick and shovel, pan and cradle. If any one found himself destitute of funds to go farther, there was work enough to raise them by. Labor was honorable; and the daintiest dandy, if he were honest, could not resist the temptation to work were wages were high, pay so prompt, and employers so flush.

"There were not lacking in San Francisco, grumblers who had tried the mines and satisfied themselves that it cost a dollar's worth of sweat and time, and living exclusively on bacon, beans and 'slap-jacks,' to pick a dollar's worth of gold out of rock, or river-bed, or dry ground; but they confessed that the good luck which they never enjoyed, abode with others. Then the display of dust, slugs, and bars of gold in the public gambling places; the sight of men arriving every day freighted with belts full, which they parted with so freely, as men only can when they have got it easily; the testimony of the miniature rocks; the solid nuggets brought down from above every few days, whose size and value rumor multiplied according to the number of her tongues; the talk, day and night, unceasingly and exclusively, 'gold, easy to get and hard to hold,' inflamed all new-comers with the desire to hurry on and share the chances. They chafed at the necessary detentions; they nervously feared that all would be gone before they should arrive.

"The prevalent impression was that the placers would give out in a year or two. Then it behoved him who expected to gain much, to be among the earliest on the ground. When experiment was so fresh in the field, one

theory was about as good as another. An hypothesis that lured men perpetually further up the gorges of the foot-hills, and to explore the cañons of the mountains, was this: that the gold which had been found in the beds of rivers, or in gulches through which streams once ran, must have been washed down from the places of original deposit further up the mountains. The higher up the gold-hunter went, the nearer he approached the source of supply.

"To reach the mines from San Francisco, the course lay up San Pablo and Suisun bays, and the Sacramento—not then, as now, a yellow, muddy stream, but a river pellucid and deep—to the landing for Sutter's Fort; and they who made the voyage in sailing vessels thought Mount Diablo significantly named, so long it kept their company and swung its shadows over their path. From Sutter's the most common route was across the broad, fertile valley to the foot-hills, and up the American or some one of its tributaries; or, ascending the Sacramento to the Feather and the Yuba, the company staked off a claim, pitched its tent or constructed a cabin, and set up its rocker, or began to oust the river from a portion of its bed. Good luck might hold the impatient adventurers for a whole season on one bar; bad luck scattered them always farther up. * * *

"Roads sought the mining camps, which did not stop to study roads. Traders came in to supply the camps, and not very fast, but still to some extent; mechanics and farmers to supply both traders and miners. So, as if by magic, within a year or two after the rush began, the map of the country was written thick with the names of settlements.

"Some of these were the *nuclei* of towns that now flourish and promise to continue as long as the State is peopled. Others, in districts where the placers were soon exhausted, were deserted almost as hastily as they were begun, and now no traces remain of them except the short chimney-stack, the broken surface of the ground, heaps of cobble-stones, rotten, half-buried sluice-boxes, empty whisky bottles, scattered playing cards and rusty cans.

"The 'Fall of '49 and Spring of '50,' is the era of California history which the pioneer always speaks of with warmth. It was the free and easy age when everybody was flush, and fortunes, if not in the palm, were only just beyond the grasp of all. Men lived chiefly in tents, or in cabins scarcely more durable, and behaved themselves like a generation of bachelors. The family was beyond the mountains; the restraints of society had not yet arrived. Men threw off the masks they had lived behind, and appeared out in their true character. A few did not discharge the consciences and convictions they had brought with them. More rollicked in a perfect freedom from those bonds which good men cheerfully assume in settled society for the good of the greater number. Some afterwards resumed their temperate and steady habits, but hosts were wrecked before the period of their license expired.

A. Hemme

"Very rarely did men on their arrival in the country begin to work at their old trade or profession. To the mines first. If fortune favored, they soon quit for more congenial employments. If she frowned, they might depart disgusted, if they were able; but oftener, from sheer inability to leave the business, they kept on, drifting from bar to bar, living fast, reckless, improvident, half-civilized lives; comparatively rich to-day, poor to-morrow; tormented with rheumatisms and agues, remembering dimly the joys of the old homestead; nearly weaned from the friends at home, who, because they were never heard from, soon became like dead men in their memory; seeing little of women, and nothing of churches; self-reliant, yet satisfied that there was nowhere any 'show' for them; full of enterprise in the direct line of their business, and utterly lost on the threshold of any other; genial companions, morbidly craving after newspapers; good fellows, but short-lived."

Such was the mælstrom which dragged all into its vortex now thirty and more years ago! Now, almost the entire generation of pioneer miners, who remained in that business have passed away, and the survivors feel like men who are lost, and old before their time, among the new-comers, who may be just as old, but lack their long, strange chapter of adventures.

We will now attempt to give the names of those gentlemen who settled in Contra Costa, for with the discovery of gold the whole world turned towards the mines to seek their fortunes, and as health gave way from exposure there, or fatigue caused the wish for a less wearying life to arise, they hied themselves unto the valleys whose fertility was now fully established, there to make homes and till farms, finer than which no country in the world can claim. Of course many names are omitted, not from any fault on our part, but rather from the fact that treacherous memory remembers them not; the dates are not so much those of their actual settlement, but as they were found by the parties with whom we have conversed.

1847.—Elam Brown, Nathaniel Jones, Robinson N. Jones, Napoleon B. Smith.

1848.—Thomas A. Brown, Warren Brown, S. J. Tennent.

1849.—Joseph H. Smith, W. W. Smith, M. R. Barber, Alexander Boss, David Boss, William C. Prince, William Slusher, Capt. R. E. Borden, John Beemer, Henry F. Toy.

1850.—From the list of voters in Martinez at the first election, besides a few of those mentioned above, we find the names of F. M. Warmcastle, Juan D. Silvas, Albert G. Robb, Thomas Allen, W. H. Popple, J. F. Williams, Martine Berryessa, Absolom Peak, Leonard Eddy, John A. Piercall, Daniel Hunsaker, Thomas S. Dana, J. C. Booram, Angel Soto, Josiah Gorham, John Carnes, William Hendricks, James F. Quin, José Galindo, Charles J. McIlvaine, Ira B. Stebbins, P. S. Brownell, Elijah Darling, R. S. Thomas, William T. Hendricks, H. A. Overbeck, A. T. C. Debast, Napoleon

Degalon, Nicholas Hunsaker, James C. Hunsaker, Jos. Swanson, A. V. H. Ellis, William H. Smith, Vicente Martinez, José de J. Martinez, Theodore Kohler, Lyman A. Hastings, Joseph Rothenhausler, Howard Havens, Wm. K. Leavitt, B. R. Holliday, H. M. Holliday, William Allen, Francisco Berryessa. From other sources we hear of Leo Norris, William H. Norris, William Lynch, Howard Nichols, David Glass, John F. S. Smith, Erastus Ford, Oliver F. James, Josiah Sturges, B. Hoffinan, Capt. Harding, Dr. George Lawrence, Samuel Russel, H. H. Hartley, the Bodfish family, J. C. McMaster, Capt. George W. Kimball, S. P. Kimball, Mr. Marshal and son, Mr. Dennison, Deacon John Pulsifer, Dr. Joseph Pulsifer, O. A. Olmstead, Dr. H. M. Smith.

1851.—John Davis, Daniel Seeley, John P. Chrisman, Samuel Moore, William E. Whitney, Samuel Hodges, John Johnston, John R. Boyd, Abner Pearson, the Gillett Brothers, Mr. Sweetzer, Francisco Otoya, Alexander Moore, Henry Moore, J. D. Allen, Mr. Evans, John C. O'Brien, Mr. Swain.

1852.—Joel Harlan, Antonio P. Silva, Robert R. Fuller, J. W. Gann, Mark Elliott, Randolph Wight, R. O. Baldwin, August Hemme, William Meese, Wilson Coats, William M. Wells, Benjamin Shreve, Orris Fales, D. P. Smith, Benjamin Hodges, Felix Coats, Farmer Sanford and parents, William Hook, Philip Betz, Manuel Machado, Josiah Shafer, James Bell, William Comstock, Zelotus Reed, Carroll W. Ish, John Smith, William Chick, Henry Russell, William Mendenhall, Wade Hayes, Francis Matteson, Dr. Watts, Sylvester Degan, Isaac Russell, George W. Hammett, James H. Gorham, Edward Taynton, Mr. Kirker, Asa Bowen, Frank Lightson, Frank Such, the Strode family.

1853.—Milo J. Hough, James T. Walker, John L. Labaree, Cornelius Garely, George W. Yoakum, Dr. Samuel Adams, Solomon P. Davis, Charles V. Smith, Richard Mills, David F. McClellan, Isaac Smith, Charles N. Wight, Charles J. Pramberg, Jeremiah Morgan, John Baker, William W. Cox, William Z. Stone, Samuel S. Bacon, Richard R. Hall, George S. Potwin, Hiram P. Hardy, John W. Jones, Smith Ashley, Frederick Babbe, Robert G. Dean, Alonzo Plumley, James Stewart, Henry M. Hollenbeck, Edwin W. Hiller, B. F. Merle, John B. Smith, David P. Mahan, Lawrence Geary, Socrates Huff, L. C. Wittenmyer, B. Alcorn, Jones, Lane and Beemer, David Hodge, Isaac Hunsaker, Wesley Bradley, Ira True, Dr. Turner, Richard Ferguson, Andrew Inman, Daniel Inman, Isaac N. B. Mitchell, John Mitchell, James M. Thomson, John McDonald, H. Lock, James Henderson, Frank Somers, Ezra Clark, George Clark, Charles Clark, G. W. Brown, Mr. Wescott, Dr. E. F. Hough, Mr. Penniman, Mr. Seymour, Myron and John Gibson, Robert McPherson, the Smith family, Mr. Marble, Ben. Hockabout, Hank, Henry and John Davis, Mr. Vandermark, Mr. Barnheisel, Ed. Legrand, Ambrose and James Toomey, Majors Allen and Loring, Quartermaster's Department, U. S. A., on what was called the Government Ranch, Mr. Bishop, Mr. Van Ryder, Mr. Hilshin, J. H. Johnson, Charles L. Bird, G. L. Walrath.

1854.—Gardner M. Bryant, Manuel G. Aguiar, Jesse H. Williams, Bernardo Fernandez, Joshua Bollinger, M. Cohen, James M. Stone, Martin Woolbert, Calisto Navas, Theodore Downing, John H. Haseltine, Solomon Newberger, H. C. F. Dohrman, Francisco Galindo, Col. W. W. Gift, William Southard, Ellis Flynn, Jackson Gann, Wilson Gann, John Courter, Jack Allen, Edward Curry, George and David Meacham, John Merrill, William Brown (a preacher), Samuel Hilstrom, Newton, Asa, Simeon and Philo Woodruff, John Serf, M. Wertheimer, Mr. Knowles, John and Robert Kennedy, Capt. James Gill, Timothy Ingles, Mr. Isham, Major and William Dowling, Ira Graver, Walter Mills, Captain Black.

1855.—Thomas Flournoy, William B. Rogers, William B. May, George W. Hauxhurst, Munson Gregory, Barnes Holloway, Austin Dorman, James Curry, Edwin Morgan, Simon Blum, W. A. J. Gift, Franklin Hostetter, David Carrick, Philip Sage, John Johnston, James McNeil, Joshua Marsh, John H. Weber, T. C. Finney, James Clark, Henry and Peleg Briggs, David Goodale, Henry Benson, John Wilcox, Mr Peck, John Galvin.

1856.—Peter Lynch, Martin Homburg, Nicholas Kirkwood, M. W. Hall, D. N. Sherburne, Charles E. and Nathaniel S. Howard, Albert Sherburne, Thomas Z. Witten, Justin M. Goodale, Homer S. Shuey, Alpheus Richardson, William Morgan, Michael Lawless, Mathew Mulcahy, James McHarry, Azro Rumrill, Dr. Carothers, Charles Rhine, the Stranahan Brothers.

1857.—Andrew Abrott, John Nicholl, William R. Forman, Walter Renwick, James Gay, Daniel S. Carpenter, William H. Dukes, Joseph Wiley, John Larkey, Thomas Johnson, Thomas Litchfield, Commodore B. Nottingham, George P. Loucks, James Foster, Daniel R. McPherson, R. B. Hathaway, George Betz, Augustine Barrao, Michael Kearny, Phillip Hermann, William H. Martin, Weatherby & Poole, John Proviso.

1858.—John C. Peterson, Charles Close, Frederick L. Hamburg, Albert W. Stone, Syranus Standish, Thomas W. Sturges, George Cople, Ferdinand Hoffman, John Sproll, M. B. Ivory, James F. Harding, Frank Webb, David S. Woodruff, Joseph Boyd, Michael Kirsch, William Ellis, John G. Chase, Christian Hoffman, Andrew Portman.

1859.—Daniel Clancy, William Newman, G. H. Scammon, John A. Shuey, Thomas B. Jenkins, George M. Frazer, Seeley J. Bennett, Peter Thomson, S. W. Johnson (who passed through the county in 1846), Henry M. Hale, J. A. Littlefield, Henry Blume, William Krieger, Rev. David McClure, Ransome Woods, Solomon Perkins, John Gibson, Christian Leeming.

1860.—James M. Stow, Henry Polley, David G. Bartnett, William Rice, William Gilchrist, John S. Moore, Ludwig Anderson, Frederick Wolf, Thos. P. Tormey.

The first town to be laid out within what are now the confines of Contra Costa county was that of Martinez, the second was New York of the Pacific. Histories of both these places will be found within these pages,

therefore it will not be necessary to enter into the details of their foundation here; suffice it to say that they were both surveyed in the year 1849. Let us rather proceed at once to the year 1858, when the *Contra Costa Gazette* was established, and from its pages cull what matters of interest there may be which do not especially belong to the history of any of the townships into which the county is now divided.

On September 18, 1858, the first number of that periodical was issued with the promise that it should be published every Saturday morning in the village of Martinez, the proprietors being W. B. Soule & Co. In the portions devoted to advertisements we find that E. H. Bryan, L. H. Hastings, A. Hersey, J. W. Sanborn, S. Blum & Brother, and E. Lasar were all established in business on Main street; the Alhambra Hotel and Restaurant flourished at Park place, and was then, as it is now, conducted by Josiah Sturges. A livery stable was run by James C. Hunsaker and John M. Rountree, while Charles A. Ruggles, M. D., signified his desire to see patients at the office of Captain Sylvanus Swain. The Morgan House was at that time in possession of George F. Worth, while Dr. John Tennent had his drug store between Main street Bridge and the Alhambra Hotel. It will thus be inferred that Martinez in the first ten years of its existence had become a place of some pretensions, while, from the report of the Superintendent of Schools, published in the month of December, we learn there were twelve hundred and ninety-one children in the county, but only three hundred and fifty-eight of them attended the public schools.

The knowledge of the existence of the baser metals was possessed by the pioneers of California, while the wonderful wealth which has transformed the wilderness into a garden and decaying pueblos into commercial cities, was sleeping in our hills and ravines. But with this knowledge there existed a great anxiety lest the mineral upon which the value of all the others depended should not be found in our soil.

Without coal it was perceived by the early founders of the State, the rich and extensive mines of iron, lead and copper which they knew abounded in our mountains, would be next to valueless. Accordingly, while the earliest adventurers after precious metals were following up the search, which began on the discovery of gold at Coloma, the more practical and really far-seeing explorers were looking for ledges on our Coast Range. Though they were rewarded by the most hopeful signs, and in more than one instance, by actual demonstration, that their search had been successful, it was reserved for a period when the discovery of coal could be turned practically to advantage, to make known the value and abundance of its supply; and it will be remembered in after years as among the earliest fruits of the geological survey of the State, that it developed the existence of coal-beds in our mountain-ranges, the importance of which can scarcely be estimated.

In the *Contra Costa Gazette* of December 11, 1858, we find that Messrs. Rountree, Walker and Dickson discovered coal on November 24, 1858, about half way between the base of Mount Diablo and Antioch, and distant from the River San Joaquin about five miles. This was situated nearly two miles from the vein discovered by Mr. Israel. It would thus appear that this discovery of Mr. W. C. Israel was made during that year, and the manner of his finding the vein was while cleaning out a spring on his land at Horse Haven, six miles south of Antioch. In connection with his father and brother George, he opened the vein for a short distance, but not having capital to work it, they disposed of their interest to James T. Watkins and —— Noyes, who, either from want of knowledge or capital, failed in opening the vein so as to make the working of it successful. They abandoned the mine in 1861, since when it has not been opened. On December 22, 1859, about three miles and a half from Horse Haven, Frank Somers and James T. Cruikshank discovered the vein of coal which has since become so well known as the Black Diamond vein. Somers, Cruikshank and their associates, H. S. Hauxhurst and Samuel Adams, located the lands which were afterwards known as the Manhattan and Eureka Coal Mines. George Hauxhurst, George H. P. and William Henderson, in company with Frank Somers, opened the cropping of the same vein, on what was afterwards known as the Black Diamond and Cumberland mines; but, believing that the expense of making roads was beyond their means, they made no attempt to secure title. The Black Diamond Mine was shortly after located by Noah Norton, and the Cumberland then went into the hands of Frank Such and others. Those lands, with others adjoining, have since become noted as the Black Diamond Coal Mines. Frank Such disposed of his interest in the Cumberland Mine to C. T. Cutler, Asher Tyler, Josiah Sturges and L. C. Wittenmyer, all of Martinez. It was from their efforts and means that the Cumberland Mine was successfully opened and worked, and roads constructed from it to the town of Clayton and New York Landing. They also assisted Noah Norton to open the Black Diamond Mines. The Pittsburg Mine, east of the Eureka, and towards Horse Haven, was located by George H. P. Henderson, who entered into a contract with Ezra Clark to open the mine, in the opening of which the vein of coal known as the Clark vein was discovered. The Central Coal Mine, east of the Pittsburg, was located by John E. Wright. The year following, William B. Stewart became connected with it. The Union Mine, north of the Manhattan, was located by George Hauxhurst. The Independence Mine, north of the Eureka, was purchased from Major Richard Charnock by Greenhood and Newbauer. The Empire Company opened in 1876. They have a magnificent vein of coal. It is six miles south of Antioch, and within three-fourths of a mile of the first opening made on the coal veins by the Israels. Openings on the veins from that mine to the Brentwood Coal Company's works,

on the Marsh Grant, show an abundance of fuel, enough to last for many generations.

The coal mining interest is one of the most important in Contra Costa county, and has already built up the towns of Somersville, Nortonville, Black Diamond (New York), and Pittsburg Landing. It has added greatly to the importance of Antioch, as well made the little towns of Judsonville and Stewartsville.

The *Gazette* thus describes a visit to these mines: "The tunnels of all these mines are high enough for an ordinary-sized man to stand erect, and about five feet in width. They generally run horizontally into the earth, and cars loaded can be pushed by hand to the mouth of the tunnel, where they are collected into a train and taken by rail to shipping points, which are now as follows: Antioch, New York Landing and Pittsburg Landing.

"The whole scene of mining operations, as it shows itself below the ground to a stranger entering these tunnels for the first time, is singular and interesting, not to say startling. The solid veins of black coal which are seen alternately above on one side and below on the other, sparkling under the guide's dim light, the distant lamps fastened to the caps of the miners at their work, and the ever-changing glimpses had of these moving glow-worms, while the pick-ax is steadily sending forth its clicking noise, and the heavy rail-car with coal comes rumbling towards, or goes retreating from one, or stands giving up its dull, coffin-like sound, as the broken fragments of coal fall slowly into it from the dark descending passages on the sides of the tunnel, all combine to give a weird and wonderful aspect to the entire view of the unaccustomed visitor. If he goes still farther into the innermost recesses of the mines, by climbing out of the tunnel up through one of the many chutes or side openings down which the coal is made to slide into the carrying cars, and enters into the 'breasts,' as they are called, of mother earth, whence is first drawn the black fire-food for consumption; the view of the narrow entrance and of the narrow space between the floor and the ceiling of the wide series of rooms into which he enters, and the jagged rocks overhead, everywhere propped up by firm, short posts, just as fast as the coal is hammered out, and the further view of the many miners here, who, although unable to stand or sit upright, yet, in a reclining posture, and by the light of their feeble head-lamps, still cease not to handle the never-tiring pick-ax; all these views will strike the beholder with a still further sense of wonder and amazement, not to say of awe and mystery. And if, while crawling along on hands and knees through these low but long and wide warehouses, where nature has for ages stored her treasure-beds of coal, he happens to think what a shaking of things a little earthquake might cause down there, his feelings of awe and sense of mystery may easily be deepened into an unquiet restlessness not far removed from a semi-sentiment of fear."

While on the matter of mining it must be mentioned, although the subject is a thing of the past, that in the year 1863 a great excitement was created by the discovery of copper in Contra Costa county, and one really worthy of the "good times" in mining districts. All at once, nobody could tell why, a grand copper excitement arose, which permeated the whole community. It was reported by various parties that the mountains were full of the ores of copper, of untold, because of unknown, richness. Simultaneously with this grand discovery every unemployed man turned prospector. Blankets and bacon, beans and hard bread, rose to a premium, and the hills were lighted up at night with hundreds of camp fires. Hammers and picks were in great demand, and there is ocular evidence even to this day that not a boulder nor projecting rock escaped the notice of the prospectors. It was a question of probabilities, which were bound soon to harden into certainties. Indeed, it was only a short time before copper prospects were possessed of a defined value. Claims were opened, companies formed, and stock issued on the most liberal scale. Everything was *couleur de rose*. As usual upon similar occasions, there was a great strife about claims. Some were "jumped" on the ground of some informality, twice in twenty-four hours. Heavy prices were paid for "choice" ground, and it is quite safe to say that old Mount Diablo's sides and summit have never since borne such an enormous valuation. It seemed as though the whole community had been bitten by the mining tarantula.

The excitement lasted for several weeks, and grew hotter and hotter. Scores of men, laden with specimens, thronged the hotels and saloons, and nothing was talked of but "big strikes" and "astounding developments."

Clayton was the center of these mining operations, and town lots sold at high prices. The ruling prices, for "Pioneer" was $4, "Eureka" $3.50, etc. Hundreds of companies were formed, and each had hosts of advocates. Shafts were sunk, and some ore obtained, and, according to one assay, "there was $48.33 in gold and $243 in silver to the ton!!" The first shipment of ore to San Francisco was in September, 1863, of one ton from the Pioneer claim. Smelting works were erected at Antioch, and the following prices offered: For copper of 8% in quality, $15 per ton; for 12% quality, $25 per ton.

Men of experience and practical skill partook of the illusion. All at once the bubble burst. The millionaires of the day left their rude camps in the mountains, and, with ragged breeches, and boots out at the toes, subsided at once into despondency and less exciting employment. The saloon and hotel keepers, saying nothing of the editors, proceeded to disencumber their premises of accumulated tons of specimens of all kinds of "shiny rocks" to be found within an area of thirty miles square—making a considerable contribution to the paving material of the streets.

In the month of March, 1860, L. H. Hastings discovered silver on the east

side of Mount Diablo. As soon as the story got wind, symptoms of excitement were developed and a party of twenty or thirty individuals quickly started for the new diggings, where claims were located covering some twenty-seven thousand feet of ground. Besides, regulations were adopted for the government of the mines, and an assessment levied for the purpose of further prospecting in the hope that a lead would be found which might be profitably worked. It has yet to be found.

Several varieties of the pigments necessary for use in art, some of which have always been imported from Europe, were in the year 1862 ascertained to exist in the ledges of the deposits of native paint. The volcanic character of the geological formation of the portion of California now under notice would naturally lead to the anticipation that the same earth found in Sicily and Italy, near Mount Etna and Mount Vesuvius, might probably be found in the country at the foot of Mount Diablo. These anticipations were verified in part by the discovery of such deposits by Doctor E. F. Hough of Martinez. He spent much time in testing and examining the various deposits he had found in the earth; at considerable expense he persevered in his investigations and was so far partially rewarded. The paint deposits discovered were situated about two miles from the town of Martinez on the bank of the El Hambre creek, at the foot of a high hill, between the houses of Doctor J. Strentzel and M. R. Barber, and on the land of the latter gentleman. They were found lying in ledges extending into the earth under the hill, the out-croppings of which alone are visible on the surface of the ground near the aforesaid creek. They varied from ten to twenty feet in width, and of unknown length and depth. At least four of the principal colors were found, viz: red, yellow, green and blue. In March, 1863, the machinery for a grinding-mill was procured, but the industry was never fully prosecuted.

In the latter part of the year 1862, petroleum was discovered near Antioch, and several claims taken up. Coal oil was also found in 1868 on the ranch of Doctor Carothers, about two miles west of Pacheco. Oil wells were discovered about three miles from San Pablo, and not less than twenty-five thousand dollars were spent in experiments, fixtures, oil tanks, retorts, distilleries, etc., but from all these discoveries oil in paying quantities could not be obtained.

During the latter part of 1862, the hot salt springs near Byron were brought to the notice of the public, though the discovery had been made many years previously. A company was formed to make salt therefrom, but we do not learn that any real work was ever done.

As long ago as the year 1850 a very productive lime quarry was discovered about one mile from Pacheco and six from the mouth of Mount Diablo creek. They were the first found in the State, and were very profitable. They were long the property of F. L. Such & Co., but are now unoperated.

On January 1, 1859, a meeting of the citizens of Contra Costa county was convened at Lafayette, when the Contra Costa Agricultural Society was formed, and a committee appointed to draft a constitution, rules, etc., the gentlemen serving being: C. T. Cutler, Martinez; J. W. Venable, Lafayette; W. J. Caldwell, Ygnacio Valley; John O'Brien, Antioch; John Galvin, San Pablo; Jesse Bowles, San Ramon; Samuel Shuey, Moraga Valley; Mr. Penniman, Pacheco Valley; Mr. Fassett, Pacheco. The President of the meeting was Nathaniel Jones, and Charles Bonnard, Secretary. The rules and constitution were adopted at a meeting held January 15th, at the Walnut Creek House, and the following officers of the society elected: President, L. I. Fish, Martinez; Vice-Presidents, Daniel Small, Lafayette; Corn. T. Cutler, Martinez; E. H. Cox, Alamo; George P. Loucks, Pacheco; William J. Caldwell, Ygnacio; John O'Brien, Antioch; Samuel Shuey, Moraga; J. D. Allen, Diablo; Samuel Tennent, Pinole; William O'Connell, San Pablo. Recording Secretary, H. H. Fassett of Pacheco; Corresponding Secretary, L. M. Brown of Lafayette; Treasurer, John M. Jones of Alamo. The first county fair under the auspices of the society was inaugurated October 11, 1859, when an excellent exhibition took place, and handsome premiums were awarded in every department. On the 12th a lengthy and eloquent address was delivered by Hiram Mills, Esq., in the Court-house. The society flourished apace, and on September 19, 1861, built the pavilion at Pacheco, its dimensions being sixty by forty feet.

There died and was buried, January 26, 1859, County Treasurer R. E. Borden, aged fifty-one years. He was one of the pioneers of the county, and had filled his office acceptably to the citizens.

In the year 1860 the tunneling of the range of hills between Oakland and Moraga Valley, to afford communication between the two points without going over the mountainous road, was mooted by residents of Alameda and Contra Costa counties. To effect the purpose in view it was proposed to form a joint stock company, to be called the San Antonio and Alamo Turnpike Company. For ten years the subject would appear to have remained in abeyance, but in 1871 the enterprise once more commenced to attract attention—but let us explain to our readers the outline of the scheme: Starting from the city of Oakland, Alameda County, Broadway is followed out to the foot-hills, thence turning to the right and near the residence of the late J. Ross Browne, over slightly rising ground, the tunnel road proper should commence, running through the summit. Five hundred feet of excavation would bring the enterprise out at the other side, in Contra Costa county, and thence the road would continue down San Pablo creek, emerging from the cañon not far from the village of Lafayette. We believe this matter is still being urged. The main purpose of the road is to bring the trade of a large and productive portion of Contra Costa to Oakland. Were the road in operation, it is contended that that city would be

the nearest point at which the farmers of the county could reach tide-water, instead of going to Martinez, or climbing the mountains between the Bay and the center of Contra Costa. The route was first discovered and the enterprise projected by Captain Card, who, by dint of much talking, persuaded some of his wealthy neighbors to look into the project, which seemed impracticable. A franchise for a toll-road was granted to Messrs. Card, J. B. Mason and Socrates Huff, but afterwards these parties surrendered their right to Messrs. Potter, Weston, McLean, Durant and others. Though the scheme is still being pressed we fear the line of the San Francisco and Nevada Railroad, which is to tap the district desired by Oakland, will interfere considerably with the views of the Tunnel Company.

The year 1861 saw two more of Contra Costa's most prominent citizens pass the Dark River. The *Gazette* of February 20th states that the funeral of the deceased Captain Hiram Fogg was one of the most imposing ever witnessed in the county. It continues its remarks on that gentleman as follows: "Respected and esteemed by all who knew him in life, and missed and mourned in death, Captain Fogg has passed to 'the undiscovered country, from whose bourne no traveler returns.' May he rest there in peace! Few men have won a higher place in the estimation of their fellows, few have left behind them a clearer record, and doubtless in that great and solemn day, when the grave shall give up its dead and the Book of Life be opened, his name will be found inscribed in living characters on the blazing scroll of immortality." He was born in Massachusetts in the year 1816; served with credit during the Mexican war as Lieutenant and Captain, in the Massachusetts regiment; removed to California in 1849, and in the following year settled in Martinez, where he passed the remainder of his life. He was twice elected to the office of County Treasurer, which, together with the office of Postmaster, he held at the time of his death. On March 1, 1861, died A. R. Meloney. This gentleman represented Contra Costa county in both branches of the State Legislature, and in 1858 was elected to the high position of State Controller.

Most of the residents of the county will long remember the floods of 1862. On Sunday, January 4th, it commenced raining and culminated on the 11th in a flood exceeding in depth the traditionary one of 1852. The destructive inundation of the above date was the most severe and wide-spread of any ever witnessed in the State since its occupation by Americans, and brought untold distress into many sections hitherto wholly exempt from such calamitous visitation. In describing the havoc done the *Gazette* says: "Not only the valleys and farming regions, but the hills and mountains and the mining districts have suffered immensely. The flumes and aqueducts and structures of different kinds, indispensable to success in mining, have been swept away in the sudden rush of waters. Often, too, the dwelling places of the miners, no less than the bridges of the mountain streams and the roads

Yours Respectfully
W. B. May

that cross the mountains, are sadly injured, even when not totally destroyed. But the valley lands have been the scene of the greatest devastation. The damage everywhere in the county has been great and distressing, while in the vicinity of the coal mines snow fell to a depth of six inches, and enormous land slides took place in their neighborhood." Ten years later—in 1871—the San Ramon, Pacheco, Alamo, and other valleys were much damaged by another devastating flood; happily the third decade brought none.

We have now a long list of deaths of public men to recount; a sad duty, but one which we should not flinch from in a work that purports to be a County History.

On Wednesday, June 25, 1863, James B. Abbott, an old resident and Surveyor of the county in the years 1860 and 1861, was on his way from the Redwoods in a wagon, with a companion, *en route* to Pacheco. Before arriving at that village, Mr. Abbott was seen to fall backwards suddenly, and, upon the team being stopped and his condition examined, he was found to be lifeless. Mr. Abbott is described as a man of quiet deportment, unpretending in his manner, and much esteemed by those who were on terms of intimacy with him. He was a native of Orange county, Vermont. On January 16, 1864, there died the Rev. Wm. L. Shepard, father of County Judge Mark Shepard, who came to California in 1850, but it was not till ten years later that he arrived in Contra Costa county. His health had been feeble, and he died, aged sixty-five years. On Saturday, September 17, 1864, there died John G. Tilton, a gentleman much respected in the county. Of his demise, and its immediate cause, the *Gazette* remarks: "It seems that a large party of ladies and gentlemen, among whom were the deceased and his family, were on a pleasure excursion in Pine Cañon, on the 15th instant. In traversing a rugged and broken portion of their route they encountered a deep ravine, over which they wished to pass their wagon. For this purpose a rope was attached to the vehicle, and the united strength of several persons was applied to ease it down the bank. As the wagon struck the bottom, the jar discharged a loaded rifle which it contained, and the ball, after passing through the seat and some articles of clothing, struck Mr. Tilton, who stood on the bank some fifteen feet distant, and with others was holding on to the rope. The handle of his watch and a portion of the case were torn off, and the ball thence passed into his bowels." As the nature of the wound did not admit of his removal, he was made as comfortable as possible by his companions, and surgical aid summoned immediately, but after a full examination it was decided that from the direction the ball had taken its extraction was impossible, and there was little or no hope of his recovery. The spot where the accident occurred was far from his home, and two miles from any practicable road; any attempt at removal was therefore deemed certain to hasten the approach of death; consequently, a tent was erected over his prostrate form, and there, in that wild spot, in the

presence of his devoted family and faithful friends, he met his fate, in the full possession of his faculties, conversing freely with all until the Grim Reaper claimed him.

The event of greatest moment that occurred in the year 1865 was, unquestionably, the assassination of Abraham Lincoln in Ford's Theater, Washington, District of Columbia, by John Wilkes Booth, on the evening of the 14th April. Sixteen years later, July 2, 1881, another and more atrocious deed of the blackened heart of the assassin called one more President of the Union to cross the Dark River. In Abraham Lincoln and James A. Garfield civilization lost two of its chiefest ornaments. Perhaps no such dual calamity had ever occurred before to any nation; is it a wonder then that the whole land was twice flooded with tears, and each mourned as if for a father! In Contra Costa the intelligence of these deeds were received with every public demonstration of grief, while appropriate resolutions were passed, and ceremonies observed.

The following beautiful lines on the death of President Lincoln from the gifted pen of Sister Annie Fitzgerald, of the Convent of Notre Dame, San José, would appear to be equally fitted to that other dastardly deed, and may appropriately find a place here:

Has he fallen, our Country's Ruler?
Has he fallen, our Country's Chief?
'Mid the gloom of a Nation's mourning,
And the wail of a Nation's grief.

Has he fallen, our Country's Ruler?
O hearts that have bled and must bleed.
Has he fallen in the hour of his triumph,
And the hour of our sorest need?

Has he fallen, whose hand hath guided
Our ship through the raging waves,
Till the roar of the battle's tempest
Died low o'er its mound of graves;

Till the clouds from our skies seemed sweeping,
And the seething billows to cease,
And the light of a happier future
Dawned bright on the shores of peace?

Has he fallen, our Country's Chieftain?—
Aye, Patriot souls, to-day,
The heart in his generous bosom
Lies cold as the pulseless clay.

Oh! the ban of a Nation's hatred,
And the blight of a Nation's woe,
And the curse of a Nation's vengeance
On the hand that has laid him low.

On the hand with its fiend-like malice,
On the heart that the crime hath nursed,
On the life of the base assassin,
Let the lowering tempest burst.

Shame, shame on the soul and manhood
Of even his veriest foe,
That grudges his deadliest scorning
To the dastard that dealt the blow.

Aye, the wrath of a widowed Nation
Be poured on the guilty head;—
But shame not the name of the millions
With the blot of a crime so dread.

With the blot of so dark a murder,
With the curse of the hearts that bleed.
Nay, even the cheek of treason
Must blush at so foul a deed.

Droop lower, O sacred banner!
Droop lower thy folds to-day;—
For the crimson blood of our Chieftain
Hath hidden thy stars away.

Droop lower, O mourning banner!
Droop low o'er our Country's breast;—
O'er the North in its widowed glory,
And the orphaned East and West.

Droop low o'er the wrongs and sorrows,
And the hopes that are passing away;—
Toll drearily, bells, your sad dirges,
Toll drearily, bells, to-day.

Pour out the deep voice of your tidings,
O sonorous cannon's deep mouth!
Weep, weep o'er our loss and thy future,
Thy bitterest tears, O South.

For never a kindlier foeman,
And never a truer chief,
Hath passed from a Nation's anguish
'Mid the wails of a Nation's grief.

Weep, North, in thy widowed glory,
For the heart that hath loved thee best,
And wail o'er your martyred father,
O, orphaned East and West.

Wail, wail for the clouds that gather
So dark o'er our stormy way;—
He has fallen, our Country's Ruler,
He has fallen, our Country's Stay.

The last demise we have to notice at this time is that of ex-Sheriff J. C. Hunsaker, who was lost in the ill-fated steamer *Brother Jonathan* off the coast of Oregon, July 10, 1865.

We find that on September 22, 1865, a fine and efficient body of cavalry, known as the Contra Costa Guards, commanded by Capt. Tewksbury, paraded at the County Fair to the perfect satisfaction of those present.

Francisco Caravantes, who, some fifteen months before, had escaped from the county jail at Martinez, where he was awaiting sentence under two charges of grand larceny, was captured by under-Sheriff Swain and Deputy McGrath, on September 30, 1866, fifty miles beyond Firebaugh's Ferry on the San Joaquin. He was again lodged in jail on the 10th of October. This man Caravantes was a cunning, shrewd, courageous fellow, and was the "brains" of the honorable company of "free agents" that infested the hills of the Contra Costa for so long a time. So did he manage to cover up his tracks after breaking jail, that not the least clue to his place of refuge was discovered for several months.

About three weeks before his capture a hint was passed that Caravantes might be found somewhere near the head-waters of the San Joaquin river, about three hundred miles from Martinez. An overland expedition for pursuit was thereupon fitted out under the direction of under-Sheriff George A. Swain, accompanied by John McGrath. This party proceeded for several days, traversing the lonely region of country lying to the westward of the San Joaquin, until they arrived at the old Frebold's Ferry in Fresno county. At this place they ascertained that they had gone beyond their game some seventy or eighty miles; they therefore crossed to the east side of the river and came down into Merced county, where they ascertained that Caravantes and five or six of his companions were encamped at a short distance, and near the Mariposa creek. The party then proceeded on foot, cautiously, until they came, unseen and unsuspected, within a few rods of the "agencies" encampment, when Swain and McGrath both leveled their repeaters at short range upon the "agency," Swain calling out to Caravantes by name to surrender; whereupon came the reply: "Don't shoot, George, you can have us!" Caravantes was thereupon taken, shackled and brought to Martinez. He was tried before Judge Shepard, October 24, 1866, and sentenced to five years in all, in the State Prison.

The ever-to-be-remembered earthquake of October 21, 1868, was felt severely in all portions of the county except Antioch. The heavy tower

of the Marsh "Stone House" was partially destroyed, breaking down the portico in its fall. At Somersville, Nortonville and Clayton, chimneys were thrown down and household goods generally much damaged. At Walnut Creek, Alamo, Danville and San Ramon the shock was particularly severe. The upper front and rear walls of the two story brick building at Alamo, owned by the Masonic Lodge, was thrown down, while the one story brick store belonging to Mr. Peel at Danville lost a portion of its front wall. At Martinez and Pacheco, the damage was also very extensive.

There died at Martinez, January 23, 1869, Marshall S. Chase, aged forty-six years. Mr. Chase was born in Maine, and graduated at one of the colleges of that State; he afterwards went through the course of study at the Harvard Law School, graduating with distinction, and entered with fine prestige and promise upon the practice of his profession in Boston. About 1852–53 he came to California, and after practicing a while in San Francisco, finally settled in Martinez, where he died. Of Mr. Chase the *Contra Costa Gazette* says: "It is not with ordinary feelings that we undertake the duty which devolves upon us of noticing the demise of the friend and fellow-citizen, who, during a residence of fourteen years in this county has commanded recognition of all, as the man among us of finest intellectual gifts and attainments. Such gifts and attainments as qualified him not only for high rank in the legal profession of which he was a conspicuous member, and for honorable distinction in any sphere of private or public duty, but also for most instructive and interesting companionship. And none who have enjoyed a companionship that brought them into intimate contact with the best thought and life of the now silent friend can fail to cherish the memory of such a privilege to allow themselves to believe that they have seen the best, that is to be, of life and thought." On April 30, 1869, during the session of the Fifteenth District Court, Hon. S. H. Dwinelle, Judge, the following resolutions, moved by Thomas A. Brown Esq., were unanimously adopted and spread upon the minutes of the Court:

"WHEREAS, It has pleased the Supreme Ruler of the Universe, by the dispensation of his providence, to remove, by death, from our midst, MARSHALL SPRING CHASE, ESQ., a member of this Bar; and,

"WHEREAS, As a member of this Bar, he held a high position among his brethren, and among the citizens was esteemed for his high sense of honor and gentlemanly bearing with all men; and as a lawyer, stood in rank among his professional brethren first for his legal learning and ability, and at the Bar for eloquence unequaled by few and surpassed by none. Therefore,

"*Resolved*, That we deplore the sad event, not only as an individual bereavement, but as a general loss to this community.

"*Resolved*, That in his decease this Bar has lost one of its brightest ornaments, and the law one of its ablest and most eloquent exponents.

"*Resolved,* That in the early departure of one whose ripening gifts of intellect and knowledge of the law gave promise of such advancement in the future, the cause of learning and the true appreciation of the law has sustained a heavy blow.

"*Resolved,* That we sympathize with the widow of our late deceased brother, in the loss of a kind and amiable husband.

"*Resolved,* That a copy of these resolutions be presented to the bereaved widow and relatives of our deceased brother, and that they be spread upon the minutes of this Court."

Judge Dwinelle responded feelingly to the remarks with which the resolutions were offered, granting the motion for their entry upon the minutes, and for the adjournment of the Court in respect to the memory of the deceased brother, Marshall Spring Chase.

On April 17, 1869, we notice the appointment of Felix A. Mathews, County Assessor for Contra Costa, to the position of Consul for the United States at Tangier, in the Empire of Morocco. Having been born in that country, and speaking its language, Mr. Mathews was deemed well-fitted for the position to which he was specially recommended by Admiral Farragut, under whom he had seen service on the Mediterranean station.

Andrew J. Markley, called by the suffrages of his fellow-citizens to the duties of an important official position, upon the discharge of which he entered only about two months before his death, removing then from his former residence at Somersville to the county seat, died at Martinez, May 2, 1869, after a painful and final struggle with a fatal disease.

On Sunday, April 30, 1871, a serious affray occurred in Moraga Valley, that resulted in the arrest of James Steele and George Yoakum on the charge of assault with firearms upon several members of the Moraga family. It is reported that some fifteen or twenty rifle shots were fired by the assaulting party, three of the shots taking effect upon and killing a horse ridden by one of the Moragas. The affray is understood to have arisen from a dispute as to the rightful possession of lands originally owned and until a short time previously occupied by the Moragas, but claimed by Carpentier and Yoakum under judicial decrees. This was followed on November 23rd by another disturbance between John Prairie, a man employed by the Carrick Brothers, and another man on the ranch of Daniel McGlynn, about some stock, during which a pistol was fired at the first named individual, the offender decamping immediately after the affair. With these displays of temper, however, the troubles ceased not. On April 27, 1872, the dispute was renewed, when Isaac Yoakum was shot, though not killed. Happily, these unpleasantnesses are all now settled, and the war-hatchet been forever buried.

During the early months of the year 1872 a scheme was concocted whereby a new county should be formed from the section of country lying

east of Bay Point, along the San Joaquin River, together with Sherman Island, thereby threatening to deprive Contra Costa county of a large share of her territory. Of this motion the *Contra Costa Gazette* somewhat tersely observes: "When all the cost of maintaining a separate county government are calculated, even with the Sherman Island territory included, we apprehend that the tax-payers of the section specified would decline assuming the responsibilities. Contra Costa, in area of territory, is one of the smallest counties in the State. Of the fifty or more, there are but four or five of as small extent, and it ranks only as the eighteenth in population. Any division would consequently be deemed, upon impartial consideration, unwise, regarded either as a measure of State or local policy. It is true a half day's journey is involved in reaching the county seat from the most distant localities; but there are not half a dozen counties in the State a large portion of whose people are not more than an easy day's ride removed from their county seat, and, in this respect, subjected to far greater hardship than are any within the narrow limits of our county lines. Besides, with the completion of the railroad, now in process of construction, Antioch and San Pablo will be brought within less than an hour's ride of the county seat, and the most distant residents in the eastern extremity of the county will be able to reach Martinez from their homes in two hours, or less time. It is difficult, therefore, to imagine the 'valid and substantial reasons that might be assigned' for any division of the county, unless they may be found in a duplication of the chances of official emolument." Although no positive action was taken in the matter, the question was not allowed to die, but was periodically brought to light, and assumed in 1874 almost a palpable shape. The *Antioch Ledger* was the arch instigator in the scheme, and went so far as to suggest that the new county should be named "Montezuma"—an euphonious name enough—and should be made up of three hundred and eighteen square miles of Contra Costa; twenty-eight and a half square miles of Alameda; fifty square miles of Sacramento; one hundred and seventeen square miles of San Joaquin, and one hundred and twelve square miles of Solano counties—an extensive depletion of one's neighbors, which fortunately has not been countenanced.

The year 1873 commenced with the attention of the public being directed to the project of a narrow-gauge railroad from deep water at Martinez to the Amador valley, by parties able to furnish a considerable portion of the capital of the enterprise. It was calculated that the construction and equipment of thirty miles of road on the proposed line would not exceed three hundred and twenty thousand dollars, while it was thought that such a line would undoubtedly pay a good interest on its cost. Such a line it was contended would afford the farmers of the San Ramon and adjacent districts with ample facilities for putting their produce on ship-board at a minimum cost; it would enable them to store their grain in neighboring warehouses

by the roadside, and to sell and deliver it when the market afforded the best price; it would bring competing buyers to their doors and give them as good facilities for advantageously disposing of their crops as if they attended the meetings of the Corn Exchange daily with their samples. "'Twas a consummation devoutly to be wished!" On January 13th, the Contra Costa Farmers' Club discussed the project in all its phases. On February 1st, a meeting of citizens was held at Walnut Creek to consider the enterprise, when was demonstrated the fact that there was sufficient interest in the scheme to insure a considerable subscription for any feasible project that would furnish the required facilities, though the preference of those present was for a line to terminate at Oakland. Another meeting was had at the same place on February 15th, when the subject was fully argued and the following resolutions adopted: First—"*Resolved*, That it is the sense of this meeting that it is for the interest of Contra Costa county to connect itself with tide-water in the most direct route possible, at Oakland, by a narrow-gauge railroad;" and second, "*Resolved*, That N. Jones, A. W. Hammitt, Thos. J. Murphy, Franklin Warner, and Col. C. H. Wood, be appointed an executive committee on preliminary organization of the the people to take measures for the construction of a narrow-gauge railroad to connect Contra Costa county with tide-water."

To show that the promoters of the scheme to bring the road to Martinez were not willing to permit the grass to grow beneath their feet, on the evening of the meeting, the Martinez representatives held a conference to determine what course of action should be taken to obtain a survey and secure the construction of a narrow-gauge railroad from the best deep-water point in the Straits of Carquinez into the Amador valley. It was estimated that the cost of the survey would not exceed six or seven hundred dollars, about one-half of which amount was at once subscribed by those present, and the remainder readily obtained on the following Monday from citizens not present at the conference.

The survey for the road from deep water on the Straits, through Pacheco and San Ramon, to Amador Valley, was commenced at a point near Bull's Head, on the morning of Friday, February 21st, by George K. Peterson, a competent civil engineer of large experience in railroad surveying. The survey for the Oakland route was commenced on the 27th. On March 1st another meeting assembled at Walnut Creek, and more arguments ensued in regard to the routes chosen by the contending parties, but the surveys being incomplete, not much actual business was transacted. In due time Mr. Peterson's survey was completed, and his report made to the Committee, composed of R. O. Baldwin, C. B. Porter, Barry Baldwin, George McCanley. The survey was started at the town of Martinez, and terminated in San Ramon valley at the village of Limerick, a distance of twenty-one miles. It was estimated then that the total cost of the road

would be two hundred and forty thousand dollars, while its working expenses would be sixty thousand dollars per annum. This report was presented to the meeting held at Walnut Creek, March 22d, as was also that of Mr. Boardman on the route to Oakland. This gentleman placed the cost of construction of a line along his survey at fifteen thousand dollars per mile, with forty thousand dollars for a tunnel through the mountains. The project was not allowed to lag, for another meeting was had on March 29th, at Danville, for further discussion of the subject, after which the scheme was held in abeyance, although periodical meetings were held to canvass its feasibility and ultimate accomplishment.

We next find the narrow-gauge topic being discussed at a meeting held at Danville on October 31, 1874, when the following Committee was appointed to prepare plans of organization and subscription for a proposed railroad: L. I. Fish, Martinez; Paul Shirley, Martinez; Barry Baldwin, Pacheco; Francisco Galindo, Concord; John Larkey, Walnut Creek; James Foster, Alamo; R. O. Baldwin, Danville; Charles Wood, Sycamore valley; David Glass, Amador; J. W. Dougherty, Dublin; Daniel Inman, Livermore. These gentlemen made their report at a meeting held at Walnut Creek, November 19th, and presented an elaborate document, containing recommendations as to organization.

We hear no more of railroads until the month of November, 1875, when a periodical then published, called the Oakland *News*, states that the articles of incorporation had been filed for the construction of a broad-gauge line from Oakland to Alamo, a distance of fifteen miles. The line of road described is that which had for some time been talked of as a wagon road.

While these negotiations were in progress, the Central Pacific Railroad Company resumed work on the line between Oakland and Banta, in connection with the Western Pacific and San Joaquin Valley road, *via* Martinez and Antioch; while on April 28, 1876, the depot at the first named place was located, the right of way having been obtained from Messrs. Shirley and Mizner.

This road, as we all know, has been completed; the narrow-gauge line spoken of above fell through. In 1881 another line was started, called the San Francisco and Nevada Railroad, and after grading several miles of road within the limits of the county, work came to a stand still, although the matter has been by no means abandoned.

In the month of July, 1873, J. S. Hill, a former proprietor of the Mount Washington Hotel, in the White Mountains, New Hampshire, contemplated the erection of a hotel on Mount Diablo, the sight chosen being near Moses' Rock, while the plan included a carriage road to the summit. On October 30th a meeting to consider the matter of organizing an incorporated company to build and maintain such a road from the county highway at the mouth of Pine Cañon, was held under the chairmanship of Nathaniel Jones.

J. S. Hill, the projector of the undertaking and the proposer of building a hotel near the summit, gave an outline of the plan, and thought that a good, safe thoroughfare could be constructed for twelve thousand dollars. The subject was then fully discussed, and the following resolution carried: "*Resolved,* That J. S. Hill, W. W. Camron, S. W. Johnson, John Slitz and Nathaniel Jones be authorized to incorporate the Mount Diablo Summit Road Company, and to take any other necessary steps for advancing the enterprise, and calling an early meeting of the subscribers to the preliminary agreement and such others as it may be desired to interest in the undertaking." Throughout the meeting a good disposition was manifested by those present to aid the work by subscriptions for the stock of the road company, while it was firmly believed that the people of the county generally would cheerfully co-operate in aiding so laudable and promising an enterprise. The articles of incorporation were duly filed in the office of the County Clerk, November 4th, the capital stock being twenty-five thousand dollars, divided into two thousand five hundred shares of ten dollars each. The first Directors were: J. S. Hill, N. Jones, S. W. Johnson, W. W. Camron and John Slitz; Messrs. Hill, Camron and Slitz being subsequently elected President, Treasurer and Secretary respectively.

A certificate of incorporation was filed February 18, 1874, of the Green Valley and the Mount Diablo Summit Road Company, with Thomas A. Brown, L. C. Wittenmyer, W. W. Camron, S. J. Bennett, and Barry Baldwin as incorporators. The object of this association was the construction and maintenance of a turnpike road from a point on the Green Valley public road to a junction with the Mount Diablo Summit Road. The capital stock was five thousand dollars, in five hundred shares of ten dollars each.

In the month of April, 1874, the stage arrangements for the two roads to the summit of Mount Diablo were completed, the Martinez and Pine Cañon line being stocked and run by Seeley J. Bennett of Martinez, whose name is a guarantee of excellence in all that pertains to road outfits, while the Haywards and Green Valley route was in the hands of W. S. Law, formerly of the Eagle Hotel, Pacheco. These stages are now discontinued, but Mr. Bennett is still at Martinez, and his skill in "handling the lines" or the excellence of his appointments has in no wise deteriorated.

On January 16, 1873, the Hon. C. W. Lander died suddenly. The Judge is described as a man of many honorable traits that entitled him to respect.

It may not be unforgotten that in 1876 a contest was being carried on before the Courts for possession of the Auditor's office. In the month of May of that year Judge Dwinelle decided the case, declaring that the original orders of the Board of Supervisors consolidating the offices of Recorder and Auditor remain in force, and that the Recorder is *ex-officio*

Auditor, thus declaring V. Russell entitled to the office, and M. A. Bailhache an intruder therein—although fairly and upon good understanding elected thereto by the people. The case was further tried and in December, 1877, decided in favor of Bailhache.

At his residence near Concord, there died, August 9, 1876, at the age of eighty-five years, Don Salvio Pacheco. He was born near San Diego, and his entire life was passed in California. For a number of years he was Alcalde of the Pueblo de San José and also several times a member of the Departmental Assembly, earning an honorable reputation in the discharge of public duties. The Grant of Monte del Diablo, embracing four leagues of land, was made to him by Governor Micheltorena in 1834, but it was some ten or a dozen years later that he established his residence on the property, on where he continued up till the time of his death.

On February 17, 1877, intelligence of the death of Judge S. F. Reynolds, formerly of the Fourth District, when Contra Costa county was included in it, was received; and on April 28th the following resolutions of respect to his memory, reported by the Committee of the County Court, were ordered by Judge Dwinelle to be engrossed upon the minutes of the Court:

"WHEREAS, It has pleased the Supreme Ruler of the Universe to summon from this life to his Eternal Home our late brother, the Honorable Samuel F. Reynolds, formerly Judge of this Court, and for many years past an able, active and honored member of the Bar, engaged in the active practice of his profession, and almost invariably in attendance at the terms of this Court; and,

"WHEREAS, Although our late brother resided and had his home in the city of San Francisco, he was seldom absent from this Court during its stated terms during a period of nearly twenty years, during which time we were associated with him, and came to regard him as our senior and always honored brother. Courtly and dignified in manner, and in his practice actuated by strict integrity of purpose, he had endeared himself to all. Therefore,

"*Resolved*, We are deeply impressed with the great loss the Bar and community has sustained in the death of our brother, the late Honorable Samuel F. Reynolds, and we will always cherish his memory as that of a good citizen, an honest, upright man, an able jurist, and a sincere and devoted friend.

"*Resolved*, That these resolutions be spread upon the minutes of the Court, and that the Court do now adjourn as a mark of respect to the deceased brother.

"THOS. A. BROWN,
"H. MILLS,
"OLIVER WOLCOTT, } *Committee.*"

E. Marshall

And yet another death have we to record. On August 1, 1877, Lawrence M. Brown, the youngest son of Hon. Elam Brown, who came with his father to Contra Costa county in 1847, died. Of the deceased the *Gazette* said: "He has lived with the people of this county, to nearly all of whom he was personally known, and they will long cherish a remembrance of his gentle and amiable qualities of character."

On December 23, 1879, after the conclusion of the business of the District Court at its November term, and it being about to adjourn, H. Mills, Esq., read and offered a paper signed by members of the Bar and many citizens of the county, testifying to their respect for the retiring Judge, Hon. S. H. Dwinelle, and requesting it spread upon the minutes of the Court, as follows: "Since the New Organic Law of the State, which goes into effect on the first day of January, 1880, abolished the District Courts, and your functions as Judge of the Fifteenth Judicial District cease upon that day, the undersigned members of the Bar and citizens of Contra Costa county wish to express to you their regrets in parting with you as the Judge of said Court. You have been with us in that official relation for sixteen years, during which time your actions as a jurist, an impartial and upright judge, have won our respect and admiration. In taking leave of the Bench be assured that you take with you our best wishes for your welfare and prosperity in the future relations and duties of life." Judge Dwinelle replied in appropriate and feeling terms, and directed, in accordance with the wishes of the subscribers, that the foregoing be spread upon the minutes of the Court.

The following local reminiscences of "Twenty-one years ago," from the pen of the late Horace Allen of Martinez, and published in the *Contra Costa Gazette* of November 1, 1873, we reproduce in order that our older readers may have an opportunity of refreshing their memories in matters, the recollection of which should not be allowed to die. It is ever well to keep green in our minds the story of the early settlement of a county, and this may only be done by presenting such "local reminiscences" as the following, in convenient form for reference. The paper was penned by the author with the purpose of its serving for an "evening reading." May not we hope that the younger of our readers will, even at this late date, enjoy it as such:—

"No phrases of speech can fitly portray the panorama of changes that have passed before this one narrow field of vision, during the comparatively brief period of time 'twixt now and then. An appreciable representation of these should be pictured by the genius of a Michael Angelo upon a furlong of canvas. It is only by this means that the contrasting of now and then can be presented to the quick glance of comprehension. The very face of the landscape has been changed; the names and customs and the very elements of society have been changed. If real improvements and

real progress are to be tested or measured by the comparative happiness of men and women, then there have been no improvements, no progress. It is only *change*. The old picture has been rudely effaced by social vandalism, and the canvas bedaubed with a new representation.

"The features and the life of the landscape have been changed. Standing upon the mountain-tops twenty-one years ago, in the beginning of the month of May, we there and then beheld the broad-spreading plains, and the gracefully undulating hills all clothed in verdure and beautified as if by especial ornamentation, with scattered groves of the evergreen oaks, and here and there the tortuous fringes and dense clusters of the willows, marking the courses of the rivulets and the locations of the living springs. This was simple, inanimate nature. But the life of the landscape was 'the cattle upon a thousand hills.' Myriads of cattle, bovine cattle, all spotted cattle, were feeding and roaming without limit all over the land, all over the sides and summits of the green hills, and over all the green-covered valleys and plains—these valleys and hills around us here. And there note, also, the dashing picturesque vaquero, with his swinging lariat, making his oft-repeated charges among those wild flocks, arousing headlong stampedes among them. No prim, prudish, artificial fencing of unsightly posts and boards then disfigured the landscape. Property boundaries of territory were only marked by natural monuments. The mountain's crest; the meandering creek; the isolated boulder; the venerable oak; the living spring; the shore of the sea; were the landmarks of the ranchero's wide domains. Nor was this Pueblo of ours (Martinez) thought worthy of artificial protection; whole bands of these wild cattle together would come charging down from the hills, and careering through the streets to escape the fierce pursuit of a dozen vaqueros. No foolish artificial fencing then. Over all the land no vandal plow had ever scarred and mutilated the face of nature; over all the land no square miles of nature's green had been discolored to the dirty brown of tillage; but the whole earth, from the Sierras to the Pacific sea, was one limitless, universal pasture land, resting beautiful and grand under the glorious brightness of a California sunshine.

"The elements of society have been changed. Twenty-one years ago the Spanish population was the elemental rule—all others were only the exception. There were the Alvarados, the Castros, the Martinez, the Sepulvedas, the Estudillos, the Moragas, the Briones, the Suñols, the Sotos, the Peraltas, the Altemeranos, the Amadors, the Mirandas, the Berryessas, the Pachecos, the Bacas, the Higueras, the Alvisos, the Naviagas—all these proud, grand old families, each family under the benignant rule of their kind old Patriarch. It was most delightful to be among them at their homes—those rich, extravagant, hospitable, confiding, simple-minded, old-fashioned people. There was no shoddyism discovered there; all their surroundings were old-fashioned, neat and comfortable. Just think of that

sumptuous dinner of Spanish cookery, and those luxurious feather beds, after the fatiguing hard day's ride on horseback! The young men of each household, although sometimes reckless and wild like other boys, were polite, sprightly and handsome. The young women were beautiful and graceful, with manners most charming. We never shall forget those social fandangos. Now the Spanish noun *fandango* is often used by stupid Americanos as an expression of contempt. But this comprehensive Spanish word has the same purport as the two English words "social party." And their beautiful dances are the very poetry of motion, and they are tastefully adopted by the most genteel American society. There was another seemingly more barbarous amusement, which had been imported three hundred and fifty years agone from the Moorish customs of old Granada and Seville. I refer to the renowned Spanish bull-fights. The first time I ever had the pleasure of witnessing that national amusement was in the month of October, in the year of our Lord eighteen hundred and fifty-two. It was on the hilarious occasion of a wedding at the residence of Don Vicente Martinez, in old Pinole. Let me say once and for all that no one should be offended if I am kindly and respectfully personal, in order to illustrate these pleasant reminiscences of the olden time. I say that merry wedding and that bull-fight were at the residence of Don Vicente Martinez, and the caballeros who took part in the fight were Don Wm. M. Smith, Don Pedro Higuera, and Don Samuel J. Tennent. These were all gay young gentlemen then. Everybody was there—everybody from all the country fifty miles around was there; and everybody danced and dined and wined to his heart's content. But speaking of the bull-fight, I observed that nobody got hurt, and the secret of this I found out afterwards. They had nicely and smoothly sawed off the sharp tips of the animal's horns, and when he made his tremendous lunges at any one of these wary caballeros, the sagacious horse would jump entirely across the line of danger, while the great weight and momentum of the infuriated beast would always drive him away forward headlong at a tangent of about sixty degrees away from his object of attack. If, however, there happened to be sometimes an awkward strike, it was as harmless as a merely good solid punch in the ribs. Nobody was killed, nobody was hurt. We had read in romances about the bloody bull-fights in Spain, and of course we Yankees there were very much disappointed.

"I have said the Spanish ranchero was extravagant in his mode of living. Well, why not? He could well afford to be extravagant, for he was rich—very rich. There were those dozen solid silver candlesticks; there were those solid silver salvers, three feet long; there were those quaint old Mexican table sets of solid silver. The ladies of the household are provided with sumptuous and most costly apparel. He had gold in abundance, the proceeds from the ready sale of his thousands of beef cattle. And what

could he do with all this gold? He said: 'Let us have sport with it.' And so he and his neighboring rancheros had their regular gambling set-to every Sunday evening after church. His wide domain of square leagues more than equaled any German principality. That earthquake-proof adobe cottage, that vineyard, that bubbling spring of purest water, that sparkling living brook, that cool shade of waving willows, the soft breezes of a peculiar climate, that quiet seclusion from the striving world, were his beautiful garden of paradise. Conscious of his independence and wealth, of his thousands for him and for his for all coming time, he never dreamt of a reverse of fortune.

"But a change came o'er the spirit of his dream. The unscrupulous Yankee finds his resting-place. A couple of thousands in gold coin are temptingly exhibited; the wine circulates freely, with the oft-repeated '*bueno salud*;' conversation becomes interesting and animated, the patriarch and his household are charmed with their new-found acquaintance, and artful and polished visitor. A loan of this couple of thousands is most graciously proffered by this most liberal stranger; a little more wine is taken for the stomach's sake, with another '*bueno salud*' all round; the proffered loan is as graciously accepted, more to oblige the accomplished guest than for any possible need or use for the ready cash; a promissory note written in English and already prepared beforehand, and made payable one day after date, and to bear interest at the rate of seven per cent. per month, to be compounded monthly, together with the usual accompanying death pledge upon that principality of square leagues, are mirthfully executed by the confiding, simple-minded, illiterate Spaniard, as if it were a passing jest! So much droll ceremony with reference to that mere trifle of money is light comedy to him, in the amusing programme of the day's entertainment.—Time passes. Many months, and several years pass away. Where does that elegant gentleman keep himself? Why does he not come and get his money? Surely he is a most indulgent creditor! The illiterate Spaniard has no conception of the cumulative effect of interest compounded! Month after month pass away, and that insignificant financial comedy is scarcely remembered. Nearly four years have rolled away, and just now a polite notice is received, as coming from the Court, with reference to that forgotten subject. Of course, there is nothing to be said by way of objection. It is all right. Why then should he trouble himself with giving any heed to it! That little affair of a couple of thousand dollars can be refunded any day. 'Why does not the gentleman come and pay us another visit?' 'Of course, that little matter of money is ready for him any day.' 'He promised to come and see us again.' Time passes. Nine years have gone round, and that paltry item of interest has regularly and steadily compounded one hundred and eight times, and that principal and interest have steadily rolled up to the immense amount of *two hundred and fifty thousand*

dollars, a full quarter of a million! Then comes the auction sale. And there the prowling agent of the relentless creditor bids in those thirty-six square miles of land, without competition, for only one-half the enormous debt. And only now, that happily dreaming Spanish family are startled and awakened as by an earthquake shock! The business is complicated, and needs the deft handling of financial ability. Redemption is impossible. And now, a judicial final process is the closing act of the drama, and that splendid fortune of real estate comes under the dominion of the stranger. The patriarch and his numerous household are exiled from their home forever, while indigence and wretched want attend them as they scatter and wander away. This, surely, is a most shocking change to them—a solemn, grievous change. The places that knew them well know them no more.

"Thus, the once material element of California society has been eradicated, to be replaced by other nationalities of people. Let other men debate the question whether such a change has been for the better! Let the casuist render judgment whether such change has been effectuated by the divine rule of right! Let the candid soul and heart respond to the question whether it has been done by the square of honesty and honor.

"Perhaps we need search no further than the legislation of any State that has ever lived and fallen within the limit of the historic ages of the world in order to learn and well understand the peculiar characteristics of the prevailing contemporary manners of that community of men. Legislative enactments and established legal customs are the sure and certain types of the moral temper of any people. We need to travel backward no further along the path of time than several hundred years, to find many illustrations of this truth. The rigorous and cruel English laws against the smallest deviations from the rules of an established church had their origin in the blind zeal and cruel bigotry of the whole people of the English nation. Sumptuary laws regulating what we shall eat, and what we shall drink, and in what manner and style withal we shall be clothed, and what manner of music we shall hear, have always originated from a popular censoriousness of temper, which was only represented in the particular legislative department. And the course, and character, and subject matter of any system of legislation bespeak the wants, and wishes, and prejudices, and conditions, and misfortunes, and selfish propensities, and tastes of the ruling majority, and the consequent legislative department of the State. When the ruling majority is composed of the wealthy and independent classes, legislation is then directed favorably to the side of the Shylocks, and other affluent creditors in the community. But the reverse of this obtains when wealth has not the directing of the legislative enactments.

"From the foregoing hypothesis we may safely infer that 'the Legislature of a thousand drinks,' in session at the city of San José, must have represented hundreds of unfortunate debtors, and hosts of sporting gentlemen, throughout

all parts of our State. Legislation was pointedly directed to the aid and comfort of all those gentlemen who did not wish to be troubled about the payment of their debts; their debts at home, or those coming from abroad. And consequently we find as monuments of that work of legislation: 1st, the insolvency act by which one can shake off his debts as easily as he can shake the dust off his coat. There is the homestead law; one need only go somewhere and get married, and then declare a homestead on five thousand dollars worth of real estate, and bid defiance to all the frowning creditors forever after, so far as that homestead is concerned. And there, also, is the sole trader's law. The wife is permitted to carry on business in her own name as sole trader—any kind of business with the round capital of another five thousand dollars, given to her by the husband, he acting as the wife's agent all the time in the sole trader business. But no creditor's process against the husband can reach one dime of the sole trader's capital. Surely that unfortunate debtor is in good luck after all; he has a secure seat in the santuary of upper-tendom, high above the 'rich man's contumely, the proud man's scorn;' and what is the best of all, he is safely perched entirely out of reach of the sheriff's officers.

"And moreover, also, deep-laid behind these singular enactments of that renowned 'Legislature of a thousand drinks,' is that strange clause of our State Constitution: 'All property, both real and personal, of the wife, owned or claimed by her before marriage, and that acquired afterwards, by gift, devise or descent, shall be her separate property.' Now, we Americans, descendants of Englishmen, and educated to the maxims and customs of our ancestors, quite naturally experience an awkwardness under the entanglements of that strange clause, which so binds up the finances of the matrimonial partnership. It was once the ambition of every impecunious youth to marry a young lady having wealth in her own right, either in actual possession or expectancy. All her personal goods and chattels, her costly diamonds and jewelry, her valuable carriage equipages, her gold and silver plate, and all her ready cash—all these were *ipso facto*, and forthwith transferred, by operation of law, to the absolute dominion and control of the newly-married gentleman, as his individual, separate property. Now all this available wealth afforded him the luxuries of life and gave him the respectability and the dignity of the gentleman of fortune. There were no family jars then. The marriage relation was peaceful and comfortable and happy, the married gentleman being recognized as the real head of his own household—as he ought to be. It is true these goods and chattels might be made liable for the payment of that gentleman's individual debts, and hence, in pursuing our line of argument, we may safely infer that the strange, revolutionary clause aforementioned, in our State Constitution, was incorporated there by an outside pressure from the main part of the then California community of insolvent debtors.

"This new arrangement concerning the finances of the matrimonial partnership must have considerably clouded the real happiness of that time-honored institution, and we would remember this also. The availableness of all the wife's goods and chattels is rendered unwieldy and perplexing. There can be no really private arrangements made for turning the wife's chattel-barter into ready cash for domestic uses. The inquisitorial attorney, and conveyancer, and notary, and witnesses, must all be invited in order to legally effect and perfect the written sale or transfer of the smallest item of her separate personal as well as real property. The married gentleman has very little to say or do with regard to the business of the family partnership concern. His dignity or importance there is quite equivocal, and only at sufferance, and by acquired habit, he in due time learns to know his place as the obscure and silent partner of the family concern. He is only known, in case of any curious inquiry as 'Mrs. Smith's husband.' He may, however, appreciate the quieting consolation that he may eat, and drink—and be merry if he can—with no harassing creditors to molest him or make him afraid. He feels the abiding and soothing consciousness that he may stupidly partake of those creature comforts, while the sources of his enjoyments constitute an unfailing fund that is always execution proof.

"There is another monument of peculiar legislation, the handiwork of that most industrious 'Legislature of a thousand drinks.' Each Board of Supervisors was empowered to license any number of gambling institutions in every county of the State. This piece of legislation was enacted as a special favor to the sporting gentlemen of that day. These sporting gentlemen, scornfully styled gamblers, were a kind of fraternity, and generally and thoroughly infused among the whole population of the State, and they constituted a material and powerful element in the political and social commonwealth. Truly that sporting fraternity were a great political power in the land, and their representatives in the legislative body were counted as legion, and also as the law-givers of the highest ability. As might be expected, due care was taken this fraternity should be well represented in each county Board, and consequently, as of course, licenses were freely given out to these institutions in every city and town and hamlet. There was a gambling saloon everywhere; not in by-ways, and in obscure places —why should it be? Why; surely it had legislative tolerance; it was made respectable by the force of law. The saloon was located on the public thoroughfares and conspicuous places of the most convenient access. The saloon was a splendid drawing-room parlor, fitted up and decorated in gorgeous glittering style. There were large and finely finished lascivious paintings. There were the enticements of sweetest music; beautiful women were there employed as dealers at the various tables, and were enthroned as the attractive goddesses of chance. And there, within the doors

of this temple, and heaped in hillocks on the tables all around, were tens of thousands of coined and uncoined gold. This was the sporting gentlemen's paradise.

"We have mentioned the sporting gentlemen as a fraternity. Now there was an aristocratic class *par excellence* in this same fraternity—that is, professional gentlemen, to be explicit we will say gamblers by profession. It was as legitimate and high-toned nineteen years ago as the profession of M. D., and higher-toned than that even. Why, Professor Whitney, or Professor Silkman, or the high-toned Professor Aggassiz, would scarcely rank with the high-toned professor of cards. Why not? Why, that aristocratic class of the fraternity, aforesaid, had been recognized by the 'Legislature of a thousand drinks,' as a high school of the fine arts. No person of ordinary caution would dare question their supremacy. They occupied all the cushioned seats in all the synagogues, whether social, theological or political. They were irrepressible; they were respectable, and their respectability was legal. They were formidable, and they must be conciliated, socially and politically, and otherwise.

"Your professor of cards was a 'handsome man'—so said the ladies, and he fought for the ladies. And many a poor fellow bit the dust because of his obtrusive interference with your aristocratic professor of cards, among the ladies. Well, your professor of cards was of dashing appearance. Why, just observe those patent leather, high-heeled boots, that costly diamond breast-pin. Observe those dainty fingers of his, all sparkling with three thousand dollars worth of diamond rings; and there is that incomparable Beau Brummel waistcoat, and so forth, and so on. He was cordial, and bland, and fascinating. He was the brilliant synosure of the social circle, and he was also really popular withal. And why not? That countenance of his gave advertisement of intellectual power, calm, reserved power; smooth and unruffled by the slightest tinge of sentiment. There was no mercy there. There was keen sense, wanting sensibility. And he surely crushed the senseless worm that crawled at evening in his pathway."

Thus does Mr. Allen give a few of his early recollections in the first dawn of the foreign occupation of California. Happily, many of the things touched upon have been changed for the better. Unhappily, many of his remarks are too true; still, they all are of interest and will be read with pleasure.

SERICULTURE.—Among the many enterprises established in the counties of California, and in which Contra Costa takes a high rank, none give greater promise in the future than the production of silk. Throughout the United States it has become a recognized industry, and its success is beyond a peradventure in our own State. Its introduction into America is not of yesterday. Upwards of a hundred years ago its culture was extensively

carried on, with greater or less success, for it is fully acknowledged that in 1759 the then colony of Georgia exported ten thousand pounds of raw silk, which sold in the European market at from fifty to seventy cents per pound higher than a similar product from any other country. In 1771 the culture was commenced in Pennsylvania and New Jersey; and in 1810 the value of raw silk and sewing silk produced in three counties in Connecticut amounted to twenty-eight thousand five hundred and three dollars.

In the period intervening between the last war with Great Britain and the years 1830–1837, the enterprise of silk growing languished; yet, in 1834 the National and State governments awoke for a time from their lethargy, and Congress appointed Commissioners to collect and distribute among the people general information in regard to the culture and manufacture of silk. So far as its cultivation was concerned, the matter culminated in what was known at the time as the "*Morus multicaules* speculation," and the cultivators lost sight of the object of establishing a legitimate industry, and attempted to get rich by speculations in trees; hence this portion of the business soon became involved in ruin, and much injury was done to the manufacturing industry. Capital, however, as usual, being more cautious and shrewd than labor, finally succeeded in advancing the latter industry to a legitimate position, from which it has gradually risen, until it is now on a safe and permanent basis. The census of the year 1880 shows the gross annual value of American manufactured silk goods to be within a small fraction of forty-one millions of dollars, these being the product of eighteen thousand four hundred and sixty-seven looms and thirty-four thousand four hundred and forty hands, operating upon a capital of twenty-two millions of dollars and involving an annual wages payment of nearly ten millions.

The value of silk goods now manufactured in the United States is in excess of our imports of that class of goods, and so superior is the quality of much of our silk dress goods, that they are now sold in Paris as genuine French manufacture; and, according to the inexorable logic of facts, much of the superior trimmings, frills and furbelows, with which our wives and daughters now bedeck themselves, and which are sold in the stores of New York, Philadelphia and San Francisco for genuine French make, must be credited to the skilled workmen of New Jersey and Connecticut.

Says Felix Gillet, of Nevada City, Cal., a renowned authority on the cultivation of silk: "Singularly enough, one of the most serious hindrances to the progress of silk culture in the United States during the two or three last decades has been the hostility of the silk manufacturers themselves. They are thus opposed because they fear that, if silk culture should attain to any great importance in this country, its friends would become clamorous for a protective duty on the importation of raw silk, and thus reduce the manufacturer's profit by increasing the cost of the raw material. But

the friends of silk culture have nevertheless pursued the even tenor of their way, quietly but energetically, until they have now laid the foundation of what promises to be, in the course of a few years, a great national industry, and a feeder and helper, instead of a drawback, to an already established silk manufacturing industry."

The production of raw silk in Europe gives employment to millions of people, while the subsequent manufacture of the raw material into thread, ribbons, dress goods, etc., forms one of the most important of home industries. The most favored nations of the Orient have wisely fostered the industry among their people until now it is the chief occupation of vast multitudes of them. In France the raising of the silk worm, the forming and care of the cocoon, and the reeling of the silk, is made an important part of the education of children in nearly all the schools, convents and academies. It is a refreshing change in the studies of the young to pass from the class-room to the cocoonery, from books to trees, to feed the worms, watch their growth, and behold the marvelous production of silk in its raw condition. Education, both public as well as private, in California, might do well to introduce this system into their places of instruction and residences, as a means of placing before their pupils a desirable means of earning a livelihood in time to come.

Peculiarly adapted is this employment to women and children; and, probably, in no State in the Union would it be more beneficial than to our own California. Here there is a large and increasing population of young boys and girls, who all seek some honorable means of earning their bread during minority; to them such employment would be an inestimable boon, while it is one easily within the grasp of all.

That an impetus has been given to this trade in the United States has been mainly due to the ladies, the lead having been taken by them in Philadelphia, who, notwithstanding obstructions of considerable magnitude, knew not what discouragement meant. Their's has been a labor of pure philanthropy, and they have had their reward.

Actuated by the same noble attributes, a few ladies of California associated themselves under the name of "The California Silk Culture Association," and have met with most gratifying results. Of their time, labor and money, they have given freely, and they have shown, by honest perseverance of hand and brain, that there are vast possibilities in this direction in store for California, while they have shown, without a question of doubt, that the soil of our State is especially adapted to the production, in endless quantities, of this commodity.

In "The California Silk Growers' Manual," by W. B. Ewer, A. M., we are told the mulberry will grow almost anywhere in California; but to meet with the best success, a rich, light, loamy soil is required. The ground should be plowed deep and well pulverized, so as to allow the rootlets to

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freely permeate the soil. If on a side-hill, a southern exposure should be selected. Among the most important advantages met with in California is the freedom from thunder and lightning, and from rains during the feeding season, as feeding with wet leaves is almost sure death to the worms, and the jar from thunder, or some peculiar electric disturbance attending thunder storms, is often attended with fatal consequences to them, especially if it occurs during the molting season.

Only four, out of the many varieties of the mulberry, are considered especially adapted to the culture of silk—viz., the *Morus alba*, the *Morus rose*, the *Morus japonica*, and the *Morus multicaulis*. The first of these is considered the best, although the last is the most productive in foliage; but a more healthy maturity and better silk is obtained by feeding the *Alba* after the first age. It is unnecessary here for us to enter into the subject of the propagation and cultivation of the tree; to become familiar with this we refer the reader to the "Manual" mentioned above, and the not less valuable work of Mrs. T. H. Hittell, entitled "The California Silk Growers' Instructor," where the beginner will find all necessary aid in the matter.

The first to attempt the raising the silk-worm in California was the late Louis Prevost of San José, who, as early as 1861, produced cocoons, some of which he sent to Lyons and Paris, where they were pronounced to be of superior quality, both for reeling and in the character of the raw silk which they yielded. As early as 1865 or 1866 Mr. Prevost sent silk-worm eggs of his raising to France, where they were pronounced to be superior to those from any other country, while the truth of this indorsement has since been fully verified in all directions. In 1866, at Mr. Prevost's instigation, Neuman & Myers established the first silk manufactory in California at San José.

Thus far we have spoken in merely a general way; we now turn to the subject as regards Contra Costa county, want of space precluding the possibility of further generalization.

In the years 1867–68 Mrs. Jane C. Smith planted some mulberry trees and raised a number of silk works, near Somersville, but the enterprise was not continued.

The perpetuation of the industry is the work of Mrs. Sarah C. Sellars, whose name in connection with silk culture is a household word throughout the State. In 1867–68 she planted a grove of mulberry trees at her residence in the "Iron House" District, which now numbers three thousand of remarkably healthy trees, loaded every season with leaves and berries. A cocoonery was built near to the grove, which was constructed and maintained on the most scientific principles, while the utmost care was taken of the worms in the different stages between infancy and maturity. The result has been a well earned and undisputed prominence in the business, while the Committee Report of the California Silk Culture Association

remarks: "In cocoons, the finest display is made by Mrs. S. A. Sellars of Antioch. * * * In addition to the cocoons, Mrs. Sellars exhibits a lot, in different colors, of reeled, raw, and floss silk, together with a number of silk-worms' eggs and moths. The display is a very complete one, occupying one entire large case, and would do credit to any exhibition in the world." From the report of the Corresponding Secretary, Mrs. Theodore H. Hittell, we glean: "As Mrs. Sellars, of Brentwood, Contra Costa county, has for several years past been successful in raising silk-worms, I thought it would be of interest to our society if I would in person visit her place, and make a report in reference to her work. I went last Thursday, by rail, to Brentwood, which is near Antioch. From Brentwood a wagon road leads to Mrs. Sellars' house, which is surrounded with a grove of about three thousand mulberry trees, covered with fine, healthy leaves, and loaded with white, pink and black mulberries. Mrs. Sellars had hatched, from an ounce of eggs, about thirty thousand silk-worms, which were feeding in a room adjoining her kitchen. When the temperature of the feeding-room falls below 70°, she avails herself of the heat of the kitchen stove to bring it up again. I examined the worms; they were ferociously devouring the leaves of mulberry, and were all in a healthy condition. She feeds them four times a day, and does it with such ease that it seems but child's play. She informed me that, after the fourth molting, one of the feedings does very well at ten o'clock at night.

"The feeding-room is a room generally used as a store-room. On two of its sides are frames containing shelves, one above the other, made of rough wood, with laths across, and covered with cloth, on which the leaves are spread and the worms are distributed. Each shelf is three and a half feet wide. There is one window and one door in the room, which are opposite each other, so as to make ventilation easy. In the middle of the day the thermometer rose to 95° Fahrenheit, and then the worms were the liveliest; but the healthiest temperature for them is about 75° to 80.°

"From what I saw I am entirely satisfied that millions upon millions of silk worms can be raised without any great trouble in California, and particularly, that they can be raised easily and conveniently, in remunerative quantities and at inconsiderable expense, by small farmers and comparatively poor people."

Among others who have attempted the raising of silk-worms in Contra Costa county, we may mention the names of Mrs. Lafferty, Mr. Betteheim of Antioch, who raised a few pounds of cocoons in the season of 1881, and Mr. Mills of Martinez.

In our first chapter we have touched upon the other interests of the county. The manufacturing and other enterprises will be found in the histories of the Townships to which they appertain, therefore naught is left

but to close this chapter, which cannot be more appropriately done than by quoting the following beautiful lines of Bayard Taylor:

O FAIR young land, the youngest, fairest far
Of which our world can boast,—
Whose guardian planet, Evening's silver star,
Illumes thy golden coast;—

How art thou conquered, tamed in all the pride
Of savage beauty still!
How brought, O panther of the splendid hide,
To know thy master's will!

No more thou sittest on thy tawny hills
In indolent repose;
Or pour'st the crystal of a thousand rills
Down from thy house of snows.

But where the wild-oats wrapp'd thy knees in gold,
The ploughman drives his share,
And where, through canyons deep, thy streams are rolled,
The miner's arm is bare.

Yet in thy lap, thus rudely rent and torn,
A nobler seed shall be:
Mother of mighty men, thou shalt not mourn
Thy lost virginity!

Thy human children shall restore the grace
Gone with thy fallen pines:
The wild, barbaric beauty of thy face
Shall round to classic lines.

And Order, Justice, Social Law, shall curb
Thy untamed energies;
And Art, and Science, with their dreams superb,
Replace thine ancient ease.

The marble, sleeping in thy mountains now,
Shall live in sculptures rare;
Thy native oak shall crown the sage's brow,—
Thy bay, the poet's hair.

Thy tawny hills shall bleed their purple wine,
Thy valleys yield their oil;
And Music, with her eloquence divine,
Persuade thy sons to toil.

Till Hesper, as he trims his silver beam,
No happier land shall see,
And Earth shall find her old Arcadian dream
Restored again in thee!

THE BEAR FLAG WAR.

Its Cause—Its Progress—Its Conclusion.

In the early part of this century California would appear to have found extreme favor in the jealous eyes of three great powers. We have elsewhere shown what the Russians did on the coast, and how they actually gained a foothold at Bodega and Fort Ross, Sonoma county. In the year 1818, Governor Sola received a communication from Friar Marquinez, of Guadalaxara, in Old Spain, wherein he informs His Excellency of the rumors of war between the United States and Spain, while, in February of the following year, Father José Sanchez writes to the same official that there is a report abroad of the fitting out of an American expedition in New Mexico. Both of these epistles remark that California is the coveted prize. Great Britain wanted it, it is said, for several reasons, the chief of which was, that in the possession of so extended a coast line she would have the finest harbors in the world for her fleets. This desire would appear to have been still manifested in 1840, for we find in February of that year, in the *New York Express*, the following: "*The Californias.*—The rumor has reached New Orleans from Mexico of the cession to England of the Californias. The cession of the two provinces would give to Great Britain an extensive and valuable territory in a part of the world where she has long been anxious to gain a foothold, besides securing an object still more desirable—a spacious range of sea-coast on the Pacific, stretching more than a thousand miles from the forty-second degree of latitude south, sweeping the peninsula of California, and embracing the harbors of that gulf, the finest in North America."

These rumors, so rife between the years 1842 and 1846, necessitated the maintenance of a large and powerful fleet by both the Americans and British on the Pacific Ocean, each closely observing the other. The first move in the deep game was made by the United States in September, 1842, by Commodore Ap Catesby Jones. He became possessed of two newspapers which would appear to have caused him to take immediate action. One of these, published in New Orleans, stated that California had been ceded by Mexico to Great Britain in consideration of the sum of seven millions of

dollars; the other, a Mexican publication, caused him to believe that war had been declared between the two countries. The sudden departure of two of the British vessels strengthened him in this belief, and that they were *en route* for Panama to embark soldiers from the West Indies for the occupation of California. To forestall this move of "perfidious Albion," Commodore Jones left Callao, Peru, on September 7, 1842, and crowded all sail, ostensibly for the port of Monterey, but when two days out his squadron hove to, a council of the Captains of the Flag-ship "Cyane" and "Dale" was held, when the decision was come to that possession should be taken of California at all hazards, and abide by the consequences, whatever they might be. The accompanying letter from an officer of the "Dale," dated Panama, September 23, 1842, tells its own story: "We sailed from Callao on the 7th of September in company with the 'United States' and 'Cyane' sloop, but on the tenth day out, the 17th, separated, and bore up for this port. Just previous to our departure, two British ships-of-war, the razee 'Dublin,' fifty guns, and the sloop-of-war 'Champion,' eighteen guns, sailed thence on secret service. This mysterious movement of Admiral Thomas elicited a hundred comments and conjectures as to his destination, the most probable of which seemed to be that he was bound for the northwest coast of Mexico, where it is surmised that a British settlement (station) is to be located in accordance with a secret convention between the Mexican and English Governments, and it is among the *on dits* in the squadron that the frigate 'United States,' 'Cyane' and 'Dale' are to rendezvous as soon as possible at Monterey, to keep an eye on John Bull's movements in that quarter." These rumors were all strengthened by the fact that eight hundred troops had been embarked at Mazatlan in February, 1842, by General Micheltorena, to assist the English, it was apprehended, to carry out the secret treaty whereby California was to be handed over to Great Britain. Of these troops, who were mostly convicts, Micheltorena lost a great number by desertion, and after much delay and vexation, marched out of Mazatlan on July 25, 1842, with only four hundred and fifty men, arriving at San Diego on August 25th. Between Los Angeles and Santa Barbara, with his army reduced to but three hundred from desertion, at 11 o'clock on the night of October 24th, he received the astounding intelligence that Commodore Jones had entered the port of Monterey, with the frigate "United States" and corvette "Cyane," landed an armed force, hauled down the Mexican flag, hoisted the American in its place, and issued a proclamation declaring California to be henceforth belonging to the United States. These startling occurrences took place on October 19, 1842. On the 28th the Commodore reflected on his latest achievement, and becoming convinced that an error had been committed, he lowered the American ensign, replaced it with that of Mexico,

and on the following day saluted it, sailed for Mazatlan, and reported his proceedings to Washington.

On hearing of the capture of Monterey the Mexican General withdrew to the Mission of San Fernando, and there remained for some time, when he finally, on the horizon being cleared, transferred his staff to Los Angeles, and there entertained Commodore Jones on January 19, 1843.

The recall of Jones was demanded by the Mexican Minister at Washington, which was complied with, and Captain Alexander J. Dallas instructed to relieve him of the command of the Pacific squadron. Dallas at once proceeded to Callao, *via* Panama, to assume his new functions, and on arrival took the "Erie," an old store-ship, and proceeded in search of the Commodore, who had in the meantime received intelligence of the turn affairs had taken, kept steering from port to port, and finally touching at Valparaiso, Chili, he sailed for home around Cape Horn. The reign of Captain Dallas was short; he died on board the frigate "Savannah," at Callao, June 3, 1844, and was succeeded by Commodore John Drake Sloat.

Between the years 1844 and 1846 the American and British fleets keenly watched each other, and anxiously awaited the declaration of war between Mexico and the United States. During this time the revolution which drove General Micheltorena and his army from California had broken out and been quelled, while the Oregon boundary and the annexation of Texas were questions which kept the naval authorities at fever heat.

Let us now leave these American and British sailors, with their mighty ships jealously watching the movements of each other, to consider the doings of one who before long was to take a prominent part in the affairs of California.

In the month of March, 1845, Brevet Captain John Charles Fremont departed from Washington for the purpose of organizing a third expedition for the topographical survey of Oregon and California, which having done, he left Bent's Fort, on or about the 16th of April, his command consisting of sixty-two men, six of whom were Delaware Indians. It is not our wish here, nor indeed have we the space, to tell of the hardships endured and the perilous journeys made by Fremont, Kit Carson, Theodore Talbot, and others of that band, whose wanderings have formed the theme of many a ravishing tale; our duty will only permit of defining the part taken by them in regard to our especial subject.

About June 1, 1846, General José Castro, with Lieutenant Francisco de Arci, his Secretary, left the Santa Clara Mission, where they had ensconced themselves after pursuing Fremont from that district, and passing through Yerba Buena (San Francisco) crossed the bay to the Mission of San Rafael, and there collected a number of horses which he directed Arci to take to Sonoma,with as many more as he could capture on the way, and from there

proceed with all haste to the Santa Clara Mission by way of Knight's Landing and Sutter's Fort. These horses were intended to be used against Fremont and Governor Pio Pico by Castro, both of whom had defied his authority. On June 5th, Castro moved from Santa Clara to Monterey, and on the 12th, while on his return, was met by a courier bearing the intelligence that Lieutenant Arci had been surprised and taken prisoner on the 10th by a band of adventurers, who had also seized a large number of the horses which he had in charge for the headquarters at Santa Clara. Here was a dilemma. Castro's education in writing had been sadly neglected—it is said he could only *paint* his signature—and being without his amanuensis, he at once turned back to Monterey, and on June 12th dictated a letter, through ex-Governor Don Juan B. Alvarado, to the Prefect Manuel Castro, saying that the time had come when their differences should be laid aside, and conjoint action taken for the defence and protection of their common country, at the same time asking that he should collect all the men and horses possible and send them to Santa Clara. He then returned to his headquarters, and on the 17th promulgated a soul-stirring proclamation to the settlers.

When Lieutenant Arci left Sonoma with the *caballada* of horses and mares, crossing the dividing ridge, he passed up the Sacramento Valley to Knight's Landing on the left bank of the Sacramento River, about fifteen miles north of the present city of Sacramento. [This ferry was kept by William Knight, who had left Missouri May 6, 1841, arrived in California November 10, 1841, received a grant of land and settled at Knight's Landing, Yolo county of to-day. He died at the mines on the Stanislaus River in November, 1849.] When Lieutenant Arci reached the ferry or crossing, he met Mrs. Knight, to whom, on account of her being a New Mexican by birth, and therefore thought to be trustworthy, he confided the secret of the expedition. Such knowledge was too much for any ordinary feminine bosom to contain. She told her husband, who, in assisting the officer to cross his horses, gave him fair words, so that suspicion might be lulled, and then bestriding his fleetest horse, made direct for Captain Fremont's camp at the confluence of the Feather and Yuba rivers, where he arrived early in the morning of June 9th. Here Knight, who found some twenty settlers that had arrived earlier than he discussing matters, communicated to Captain Fremont and the settlers that Lieutenant Arci had, the evening before, the 8th, crossed at his landing, bound to Santa Clara *via* the Cosumne River; that Arci had told Mrs. Knight, in confidence, that the animals were intended to be used by Castro in expelling the American settlers from the country, and that it was also the intention to fortify the Bear River Pass above the rancho of William Johnson, thereby putting a stop to all immigration, a move of Castro's which was strengthened by the return to Sutter's Fort, on June 7th, of a force that had gone out to chastise the Mokelumne Indians,

who had threatened to burn the settlers' crops, incited thereto, presumably, by Castro.

Fremont, while encamped at the Buttes, was visited by nearly all the settlers, and from them gleaned vast stores of fresh information hitherto unknown to him. Among these were that the greater proportion of foreigners in the country had become Mexican citizens, and married ladies of the country, for the sake of procuring land, and through them had become possessed of deep secrets supposed to be known only to the prominent Californians. Another was that a convention had been held at the San Juan Mission to decide which one of the two nations, America or Great Britain, should guarantee protection to California against all others for certain privileges and considerations.

Lieutenant Revere says: "I have been favored by an intelligent member of the Junta with the following authentic report of the substance of Pico's speech to that illustrious body of statesmen:—

"Excellent Sirs: To what a deplorable condition is our country reduced! Mexico, professing to be our mother and our protectress, has given us neither arms nor money, nor the material of war for our defense. She is not likely to do anything in our behalf, although she is quite willing to afflict us with her extortionate minions, who come hither in the guise of soldiers and civil officers, to harass and oppress our people. We possess a glorious country, capable of attaining a physical and moral greatness corresponding with the grandeur and beauty which an Almighty hand has stamped on the face of our beloved California. But although nature has been prodigal, it cannot be denied that we are not in a position to avail ourselves of her bounty. Our population is not large, and it is sparsely scattered over valley and mountain, covering an immense area of virgin soil, destitute of roads, and traversed with difficulty; hence it is hardly possible to collect an army of any considerable force. Our people are poor, as well as few, and cannot well govern themselves and maintain a decent show of sovereign power. Although we live in the midst of plenty, we lay up nothing, but tilling the earth in an imperfect manner, all our time is required to provide subsistence for ourselves and our families. Thus circumstanced, we find ourselves suddenly threatened by hordes of Yankee emigrants, who have already begun to flock into our country, and whose progress we cannot arrest. Already have the wagons of that perfidious people scaled the almost inaccessible summits of the Sierra Nevada, crossed the entire continent, and penetrated the fruitful valley of the Sacramento. What that astonishing people will next undertake I cannot say, but in whatever enterprise they embark they will be sure to prove successful. Already are these adventurous land-voyagers spreading themselves far and wide over a country which seems suited to their tastes. They are cultivating farms, establishing vineyards, erecting mills, sawing up lumber, building workshops, and doing a thousand

other things which seem natural to them, but which Californians neglect or despise. What then are we to do? Shall we remain supine while these daring strangers are overrunning our fertile plains and gradually outnumbering and displacing us? Shall these incursions go on unchecked, until we shall become strangers in our own land? We cannot successfully oppose them by our own unaided power, and the swelling tide of immigration renders the odds against us more formidable every day. We cannot stand alone against them, nor can we creditably maintain our independence even against Mexico; but there is something we can do which will elevate our country, strengthen her at all points, and yet enable us to preserve our identity and remain masters of our own soil. Perhaps what I am about to suggest may seem to some faint-hearted and dishonorable. But to me it does not seem so. It is the last hope of a feeble people, struggling against a tyrannical government which claims their submission at home, and threatened by bands of avaricious strangers from without, voluntarily to connect themselves with a power able and willing to defend and preserve them. It is the right and the duty of the weak to demand support from the strong, provided the demand be made upon terms just to both parties. I see no dishonor in this last refuge of the oppressed and powerless, and I boldly avow that such is the step that I would have California take. There are two great powers in Europe which seem destined to divide between them the unappropriated countries of the world. They have large fleets and armies not unpracticed in the art of war. Is it not better to connect ourselves with one of those powerful nations than to struggle on without hope, as we are doing now? Is it not better that one of them should be invited to send a fleet and an army, to defend and protect California, rather than we should fall an easy prey to the lawless adventurers who are overrunning our beautiful country? I pronounce for annexation to France or England, and the people of California will never regret having taken my advice. They will no longer be subjected to the trouble and grievous expense of governing themselves; and their beef and their grain, which they produce in such abundance, would find a ready market among the new-comers. But I hear some one say: 'No monarchy!' But is not monarchy better than anarchy? Is not existence in some shape better than annihilation. No monarch! and what is there so terrible in a monarchy? Have we not all lived under a monarchy far more despotic than that of France or England, and were not our people happy under it? Have not the leading men among our agriculturists been bred beneath the royal rule of Spain, and have they been happier since the mock republic of Mexico has supplied its place? Nay, does not every man abhor the miserable abortion christened the republic of Mexico, and look back with regret to the golden days of the Spanish monarchy? Let us restore that glorious era. Then may our people go quietly to their ranchos, and live there as of yore, leading a thoughtless

and merry life, untroubled by politics or cares of State, sure of what is their own, and safe from the incursions of the Yankees, who would soon be forced to retreat into their own country."

It was a happy thing for California, and, as the sequel proved, for the views of the government of the United States, a man was found at this juncture whose ideas were more enlightened and consonant with the times than those of the rulers of his country, both civil and military. Patriotism was half his soul; he therefore could not silently witness the land of his birth sold to any monarchy, however old; and he rightly judged that, although foreign protection might postpone, it could not avert that assumption of power which was beginning to make itself felt. Possessed at the time of no political power, and having had few early advantages, still his position was so exalted, and his character so highly respected by both the foreign and native population, that he had been invited to participate in the deliberations of the Junta. This man was Don Mariano Guadalupe Vallejo. Born in California, he commenced his career in the army as an *alferes*, or ensign, and in this humble grade, he volunteered, at the suggestion of the Mexican government, with a command of fifty soldiers, to establish a colony on the north side of the bay of San Francisco, for the protection of the frontier. He effectually subdued the hostile Indians inhabiting that then remote region, and laid the foundation of a reputation for integrity, judgment and ability unequaled by any of his countrymen. Although quite a young man, he had already filled the highest offices in the province, and had at this time retired to private life near his estates in the vicinity of the town of Sonoma. He did not hesitate to oppose with all his strength the views advanced by Pico and Castro. He spoke nearly as follows:

"I cannot, gentlemen, coincide in opinion with the military and civil functionaries who have advocated the cession of our country to France or England. It is most true, that to rely any longer upon Mexico to govern and defend us, would be idle and absurd. To this extent I fully agree with my distinguished colleagues. It is also true that we possess a noble country, every way calculated from position and resources to become great and powerful. For that very reason I would not have her a mere dependency upon a foreign monarchy, naturally alien, or at least indifferent, to our interests and our welfare. It is not to be denied that feeble nations have in former times thrown themselves upon the protection of their powerful neighbors. The Britons invoked the aid of the warlike Saxons, and fell an easy prey to their protectors, who seized their lands and treated them like slaves. Long before that time, feeble and distracted provinces had appealed for aid to the all-conquering arms of imperial Rome, and they were at the same time protected and subjugated by their grasping ally. Even could we tolerate the idea of dependence, ought we to go to distant Europe for a master? What possible sympathy could exist between us and a nation

William Rice

separated from us by two vast oceans? But waving this insuperable objection, how could we endure to come under the dominion of a monarchy? For, although others speak lightly of a form of Government, as a freeman I cannot do so. We are republicans—badly governed and badly situated as we are—still we are all, in sentiment, republicans. So far as we are governed at all, we at least profess to be self-governed. Who, then, that possesses true patriotism will consent to subject himself and his children to the caprices of a foreign King and his official minions? But it is asked, if we do not throw ourselves upon the protection of France or England, what shall we do? I do not come here to support the existing order of things, but I come prepared to propose instant and effective action to extricate our country from her present forlorn condition. My opinion is made up that we must persevere in throwing off the galling yoke of Mexico, and proclaim our independence of her forever. We have endured her official cormorants and her villainous soldiery until we can endure no longer. All will probably agree with me that we ought at once to rid ourselves of what may remain of Mexican domination. But some profess to doubt our ability to maintain our position. To my mind there comes no doubt. Look at Texas, and see how long she withstood the power of united Mexico. The resources of Texas were not to be compared with ours, and she was much nearer to her enemy than we are. Our position is so remote, either by land or sea, that we are in no danger from Mexican invasion. Why, then, should we hesitate still to assert our independence? We have indeed taken the first step, by electing our own Governor, but another remains to be taken. I will mention it plainly and distinctly—it is annexation to the United States. In contemplating this consummation of our destiny, I feel nothing but pleasure, and I ask you to share it. Discard old prejudices, disregard old customs, and prepare for the glorious change which awaits our country. Why should we shrink from incorporating ourselves with the happiest and freest nation in the world, destined soon to be the most wealthy and powerful? Why should we go abroad for protection when this great nation is our adjoining neighbor? When we join our fortunes to hers, we shall not become subjects, but fellow-citizens, possessing all the rights of the people of the United States, and choosing our own federal and local rulers. We shall have a stable government and just laws. California will grow strong and flourish, and her people will be prosperous, happy and free. Look not, therefore, with jealousy upon the hardy pioneers who scale our mountains and cultivate our unoccupied plains, but rather welcome them as brothers who come to share with us a common destiny."

Such was the substance of General Vallejo's observations; those who listened to him, however, were far behind in general knowledge and intelligence. His arguments failed to carry conviction to the greater number of his auditors, but the bold position taken by him was the cause of an imme-

diate adjournment of the Junta, no result having been arrived at concerning the weighty affairs on which they had met to deliberate. On his retiring from the Junta he embodied the views he had expressed in a letter to Don Pio Pico, and reiterated his refusal to participate in any action having for its end the adoption of any protection other than that of the United States. In this communication he also declared that he would never serve under any Government which was prepared to surrender California to an European power; he then returned to his estates, there to await the issue of events.

We left William Knight at Fremont's camp, where he had arrived on the morning of June 9, 1846, imparting his information to that officer and the twenty settlers who had there assembled. At 10 A. M. of that day a party of eleven men, under the oldest member, Ezekiel Merritt, started in pursuit of Lieutenant Arci and his horses. On arrival at Hock Farm they were joined by two more, and having crossed the American River at Sinclair's, reached the rancho of Allen Montgomery, sixty miles from Fremont's camp, at the Buttes, towards evening, and there supped. Here they received the intelligence that Lieutenant Arci had reached Sutter's Fort on the 8th, and had that morning resumed his march, intending to camp that night at the rancho of Martin Murphy, twenty miles south, on the Cosumne River. Supper finished and a short rest indulged in, the party were once more in the saddle, being strengthened by the addition of Montgomery and another man, making the total force fifteen. They proceeded to within about five miles of Murphy's, and there lay concealed till daylight, when they were again on the move, and proceeded to within half a mile of the camp. Unperceived, they cautiously advanced to within a short distance, and then suddenly charging, secured the Lieutenant and his party, as well as the horses. Lieutenant Arci was permitted to retain his sword, each of his party was given a horse wherewith to reach Santa Clara, and a person traveling with him was permitted to take six of the animals which he claimed as private property; the Lieutenant was then instructed to depart, and say to his chief, General Castro, that the remainder of the horses were at his disposal whenever he should wish to come and take them. The Americans at once returned to Montgomery's with the horses, and there breakfasted; that night, the 10th, they camped twenty-seven miles above Sutter's, on the rancho of Nicolas Allgier, a German, not far from the mouth of Bear River, and, in the morning, ascertaining that Fremont had moved his camp hither from the Buttes, they joined him on the 11th, at 10 A. M., having traveled about one hundred and fifty miles in forty-eight hours.

On arriving at Fremont's camp it was found that the garrison had been considerably augmented by the arrival of more settlers, who were all ardently discussing the events of the last two days, and its probable results. After a full hearing it was determined by them that, having gone so far,

their only chance of safety was in a rapid march to the town of Sonoma to effect its capture, and to accomplish this before the news of the stoppage of Lieutenant Arci and his horses could have time to reach that garrison. It was felt that should this design prove successful all further obstacles to the eventual capture of the country would have vanished. The daring band then reorganized, still retaining in his position of captain, Ezekiel Merritt. At 3 P. M., June 12th, under their leader, they left Fremont's camp for Sonoma, one hundred and twenty miles distant, and traveling all that night, passed the rancho of William Gordon, about ten miles from the present town of Woodland, Yolo county, whom they desired to inform all Americans that could be trusted, of their intention. At 9 A. M., on the 13th, they reached Captain John Grigsby's, at the head of Napa valley, and were joined by William L. Todd, William Scott and others. Here the company, which now mustered thirty-three men, was reorganized, and addressed by Doctor Robert Semple. Not desiring, however, to reach Sonoma till daylight, they halted here till midnight, when they once more resumed their march, and before it was yet the dawn of June 14, 1846, surprised and captured the garrison of Sonoma, consisting of six soldiers, nine pieces of artillery, and some small arms, etc., "all private property being religiously respected; and in generations yet to come their children's children may look back with pride and pleasure upon the commencement of a revolution which was carried on by their fathers' fathers upon principles as high and holy as the laws of eternal justice."

Their distinguished prisoners were General Mariano Guadalupe Vallejo, Lieutenant-Colonel Victor Prudon, Captain Don Salvador Mundo Vallejo, brother to the General, and Mr. Jacob Primer Leese, brother-in-law to the General.

We would now lay before the reader the account of this episode, as described by General Vallejo, at the Centennial exercises, held at Santa Rosa, Sonoma county, July 4, 1876:—

"I have now to say something of the epoch which inaugurated a new era for this country. A little before dawn on June 14, 1846, a party of hunters and trappers, with some foreign settlers, under command of Captain Merritt, Doctor Semple and William B. Ide, surrounded my residence at Sonoma, and without firing a shot, made prisoners of myself, then Commander of the northern frontier; of Lieutenant-Colonel Victor Prudon, Captain Salvador Vallejo and Jacob P. Leese. I should here state that down to October, 1845, I had maintained at my own expense a respectable garrison at Sonoma, which often, in union with the settlers, did good service in campaigns against the Indians; but at last, tired of spending money which the Mexican Government never refunded, I disbanded the force, and most of the soldiers who had constituted it left Sonoma. Thus in June, 1846, the Plaza was entirely unprotected, although there were ten pieces of artillery, with

other arms and munitions of war. The parties who unfurled the Bear Flag were well aware that Sonoma was without defense, and lost no time in taking advantage of this fact, and carrying out their plans. Years before, I had urgently represented to the Government of Mexico the necessity of stationing a sufficient force on the frontier, else Sonoma would be lost, which would be equivalent to leaving the rest of the country an easy prey to the invader. What think you, my friends, were the instructions sent me in reply to my repeated demands for means to fortify the country? These instructions were that I should at once force the immigrants to re-cross the Sierra Nevada, and depart from the territory of the Republic. To say nothing of the inhumanity of these orders, their execution was physically impossible—first, because the immigrants came in Autumn, when snow covered the Sierra so quickly as to make a return impracticable. Under the circumstances, not only I, but Comandante General Castro, resolved to provide the immigrants with letters of security, that they might remain temporarily in the country. We always made a show of authority, but well convinced all the time that we had no power to resist the invasion which was coming upon us. With the frankness of a soldier I can assure you that the American immigrants never had cause to complain of the treatment they received at the hands of either authorities or citizens. They carried us as prisoners to Sacramento, and kept us in a calaboose for sixty days or more, until the authority of the United States made itself respected, and the honorable and humane Commodore Stockton returned us to our hearths."

On the seizure of their prisoners the revolutionists at once took steps to appoint a captain, who was found in the person of John Grigsby, for Ezekiel Merritt wished not to retain the permanent command; a meeting was then called at the barracks, situated at the northeast corner of the Plaza, under the presidency of William B. Ide, Dr. Robert Semple being secretary. At this conference Semple urged the independence of the country, stating that having once commenced they must proceed, for to turn back was certain death. Before the dissolution of the convention, however, rumors were rife that secret emissaries were being dispatched to the Mexican rancheros, to inform them of the recent occurrences; therefore, to prevent any attempt at a rescue it was deemed best to transfer their prisoners to Sutter's Fort, where the danger of such would be less.

Before transferring their prisoners, however, a treaty or agreement was entered into between the captives and captors, which will appear in the annexed documents kindly furnished to us by General Vallejo, and which have never before been given to the public. The first is in English, signed by the principal actors in the revolution, and reads:

"We, the undersigned, having resolved to establish a government upon Republican principles, in connection with others of our fellow-citizens, and

having taken up arms to support it, we have taken three Mexican officers as prisoners, General M. G. Vallejo, Lieut. Col. Victor Prudon, and Captain D. Salvador Vallejo; having formed and published to the world no regular plan of government, feel it our duty to say that it is not our intention to take or injure any person who is not found in opposition to the cause, nor will we take or destroy the property of private individuals further than is necessary for our immediate support.

EZEKIEL MERRITT,
R. SEMPLE,
WILLIAM FALLON,
SAMUEL KELSEY."

The second is in the Spanish language, and reads as follows:—

"Conste pr. la preste. qe. habiendo sido sorprendido pr. una numeros a fuerza armada qe. me tomó prisionero y á los gefes y oficiales qe. estaban de guarnicion en esta plaza de la qe. se apoderó la espresada fuerza, habiendola encontrado absolutamte. indefensa, tanto yo. como los S. S. oficiales qe. suscribero comprometemos nuestra palabra de honor de qe. estando bajo las garantias de prisionero de guerra, no tomaremos las armas ni á favor ni contra repetida fuerza armada de quien hemos recibiro la intimacion del momto. y un escrito firmado qe. garantiza nuestras vidas, familias dè intereses, y los de todo el vecindario de esta jurisdn. mientras no hagamos oposicion. Sonoma, Junio 14 de 1846.

M. G. VALLEJO.
VCR. PRUDON. SALVADOR VALLEJO."

But to proceed with our narrative of the removal of the general, his brother and Prudon to Sutter's Fort. A guard, consisting of William B. Ide, as captain, Captain Grigsby, Captain Merritt, Kit Carson, William Hargrave, and five others, left Sonoma for Sutter's Fort with their prisoners upon horses actually supplied by General Vallejo himself. We are told that on the first night after leaving Sonoma with their prisoners, the revolutionists, with singular inconsistency, encamped and went to sleep without setting sentinel or guard; that during the night they were surrounded by a party under the command of Juan de Padilla, who crept up stealthily and awoke one of the prisoners, telling him that there was with him close at hand a strong and well-armed force of rancheros, who, if need be, could surprise and slay the Americans before there was time for them to fly to arms, but that he, Padilla, before giving such instructions, awaited the orders of General Vallejo, whose rank entitled him to the command of any such demonstration. The general was cautiously aroused and the scheme divulged to him, but with a self-sacrifice which cannot be too highly commended, answered that he should go voluntarily with his guardians, that he anticipated a speedy and satisfactory settlement of the whole matter, advised Padilla to return to his rancho and disperse his band, and positively refused to permit any violence to the guard, as he was convinced that such

would lead to disastrous consequences, and probably involve the rancheros and their families in ruin, without accomplishing any good result. Lieutenant Revere says of this episode :—

"This was not told to me by Vallejo, but by a person who was present, and it tallies well with the account given by the revolutionists themselves, several of whom informed me that no guard was kept by them that night, and that the prisoners might have easily escaped had they felt so inclined. The same person also told me that when Vallejo was called out of bed and made a prisoner in his own house, he requested to be informed as to the plans and objects of the revolutionists, signifying his readiness to collect and take command of a force of his countrymen in the cause of independence."

Having traveled about two-thirds of the way from Sutter's Fort, Captain Merritt and Kit Carson rode on ahead with the news of the capture of Sonoma, desiring that arrangements be made for the reception of the prisoners. They entered the fort early in the morning of June 16th. That evening the rest of the party, with their prisoners, came and were handed over to the safe-keeping of Captain Sutter, who, it is said, was severely censured by Captain Fremont for his indulgence to them.

Mr. Thomas C. Lancey, the author of several interesting letters on this subject, which appeared in *The Pioneer* during the year 1878, remarks :—

"There have been so many questions raised during this year (1878) in relation to the date of the hoisting of the 'Bear Flag,' who made it, and what material it was manufactured from, as well as the date of the capture of Sonoma, and the number of men who marched that morning, that I shall give the statements of several who are entitled to a hearing, as they were actors in that drama.

"The writer of this (Mr. Lancey) was here in 1846, and served during the war, and has never left the country since, but was not one of the 'Bear Flag party,' but claims, from his acquaintance with those who were, to be able to form a correct opinion as to the correctness of these dates. Dr. Robert Semple, who was one of that party from the first, says, in his diary, that they entered Sonoma at early dawn on the 14th of June, 1846, thirty-three men, rank and file. William B. Ide, who was chosen their commander, says in his diary the same. Captain Henry L. Ford, another of this number, says, or rather his historian, S. H. W., of Santa Cruz, who I take to be the Rev. S. H. Willey, makes him say they captured Sonoma on the 12th of June, with thirty-three men. Lieutenant William Baldridge, one of the party, makes the date the 14th of June, and number of men twenty-three. Lieutenant Joseph Warren Revere, of the United States ship 'Portsmouth,' who hauled down the 'Bear Flag' and hoisted the American flag on the 9th of July, and at a later date commanded the garrison, says the place was captured on the 14th of June." To this list is now added the documentary

evidence produced above, fixing the date of the capture of General Vallejo and his officers, and therefore the taking of Sonoma, as June 14, 1846.

On the seizure of the citadel of Sonoma, the Independents found floating from the flagstaff-head the flag of Mexico, a fact which had escaped notice during the bustle of the morning. It was at once lowered, and they set to work to devise a banner which they should claim as their own. They were as one on the subject of there being a star on the groundwork, but they taxed their ingenuity to have some other device, for the 'lone star' had been already appropriated by Texas.

So many accounts of the manufacture of this insignia have been published that we give the reader those quoted by the writer in *The Pioneer:*—

"A piece of cotton cloth," says Mr. Lancey, "was obtained, and a man by the name of Todd proceeded to paint from a pot of red paint a star in the corner. Before he was finished, Henry L. Ford, one of the party, proposes to paint on the center, facing the star, a grizzly bear. This was unanimously agreed to, and the grizzly bear was painted accordingly. When it was done, the flag was taken to the flag-staff, and hoisted amid the hurrahs of the little party, who swore to defend it with their lives."

Of this matter Lieutenant Revere says: "A flag was also hoisted bearing a grizzly bear rampant, with one stripe below, and the words 'Republic of California' above the bear, and a single star in the Union." This is the evidence of the officer who hauled down the Bear flag and replaced it with the Stars and Stripes on July 9, 1846.

The *Western Shore Gazetteer* has the following version: "On the 14th of June, 1846, this little handful of men proclaimed California a free and independent republic, and on that day hoisted their flag, known as the 'Bear flag;' this consisted of a strip of worn-out cotton domestic, furnished by Mrs. Kelley, bordered with red flannel, furnished by Mrs. John Sears, who had fled from some distant part to Sonoma for safety upon hearing that war had been thus commenced. In the center of the flag was a representation of a bear, *en passant*, painted with venetian red, and in one corner was painted a star of the same color. Under the bear were inscribed the words 'Republic of California,' put on with common writing ink. This flag is preserved by the California Pioneer Association, and may be seen at their rooms in San Francisco. It was designed and executed by W. L. Todd."

The *Sonoma Democrat*, under the caption, "A True History of the Bear Flag," tells its story: "The rest of the revolutionary party remained in possession of the town. Among them were three young men, Todd, Benjamin Duell and Thomas Cowie. A few days after the capture, in a casual conversation between these young men, the matter of a flag came up. They had no authority to raise the American flag, and they determined to make one. Their general idea was to imitate, without following too closely, their national ensign. Mrs. W. B. Elliott had been brought to the town of

Sonoma by her husband from his ranch on Mark West Creek for safety. The old Elliott cabin may be seen to this day on Mark West Creek, about a mile above the Springs. From Mrs. Elliott, Ben Duell got a piece of new red flannel, some white domestic, needles, and thread. A piece of blue drilling was obtained elsewhere. From this material, without consultation with any one else, these three young men made the Bear Flag. Cowie had been a saddler. Duell had also served a short time at the same trade. To form the flag Duell and Cowie sewed together alternate strips of red, white and blue. Todd drew in the upper corner a star and painted on the lower a rude picture of a grizzly bear, which was not standing, as has been sometimes represented, but was drawn with head down. The bear was afterwards adopted as the design of the great seal of the State of California. On the original flag it was so rudely executed that two of those who saw it raised have told us that it looked more like a hog than a bear. Be that as it may, its meaning was plain—that the revolutionary party would, if necessary, fight their way through at all hazards. In the language of our informant, it meant that there was no back out; they intended to fight it out. There were no halyards on the flag-staff which stood in front of the barracks. It was again reared, and the flag, which was soon to be replaced by that of the Republic, for the first time floated on the breeze."

Besides, the above quoted authorities, John S. Hittell, historian of the Society of California Pioneers, San Francisco, and H. H. Bancroft, the Pacific Coast historian, fixed the dates of the raising of the Bear flag as June 12th and June 15th, respectively. William Winter, Secretary of the Association of Territorial Pioneers of California, and Mr. Lancey, questioned the correctness of these dates, and entered into correspondence with all the men known to be alive who were of that party, and others who were likely to throw any light on the subject. Among many answers received, we quote the following portion of a letter from James G. Bleak:—

"ST. GEORGE, UTAH, 16th of April, 1878.

"*To William Winter, Esq., Secretary of Association, Territorial Pioneers of California—*

"DEAR SIR:—Your communication of 3d instant is placed in my hands by the widow of a departed friend—James M. Ide, son of William B.—as I have at present in my charge some of his papers. In reply to your question asking for the 'correct date' of raising the 'Bear flag' at Sonoma, in 1846, I will quote from the writing of William B. Ide, deceased: The said Bear flag (was) made of plane (plain) cotton cloth, and ornamented with the red flannel of a shirt from the back of one of the men, and christened by the 'California Republic,' in red paint letters on both sides; (it) was raised upon the standard where had floated on the breezes the Mexican flag aforetime; it was the 14th June, '46. Our whole number was twenty-four,

all told. The mechanism of the flag was performed by William L. Todd, of Illinois. The grizzly bear was chosen as an emblem of strength and unyielding resistance."

The following testimony, conveyed to the Los Angeles *Express* from the artist of the flag, we now produce as possibly the best that can be found:—

"Los Angeles, January 11th, 1878.

"Your letter of the 9th inst. came duly to hand, and in answer I have to say in regard to the making of the original Bear flag of California, at Sonoma, in 1846, that when the Americans, who had taken up arms against the Spanish regime, had determined what kind of a flag should be adopted, the following persons performed the work: Granville P. Swift, Peter Storm, Henry L. Ford and myself; we procured, in the house where we made our head-quarters, a piece of new, unbleached cotton domestic, not quite a yard wide, with strips of red flannel about four inches wide, furnished by Mrs. John Sears, on the lower side of the canvas. On the upper left-hand corner was a star, and in the center was the image made to represent a grizzly bear *passant*, so common in this country at the time. The bear and star were painted with paint made of linseed oil and Venetian red or Spanish brown. Underneath the bear were the words 'California Republic.' The other persons engaged with me got the materials together, while I acted as artist. The forms of the bear and star and the letters were first lined out with pen and ink by myself, and the two forms were filled in with the red paint, but the letters with ink. The flag mentioned by Mr. Hittell with the bear rampant, was made, as I always understood, at Santa Barbara, and was painted black. Allow me to say, that at that time there was not a wheelwright shop in California. The flag I painted I saw in the rooms of the California Pioneers in San Francisco, in 1870, and the Secretary will show it to any person who will call on him at any time. If it is the one that I painted, it will be known by a mistake in tinting out the words 'California Republic.' The letters were first lined out with a pen, and I left out the letter 'I,' and lined out the letter 'C' in its place. But afterwards I lined out the letter 'I' over the 'C,' so that the last syllable of 'Republic' looks as if the two last letters were blended.

"Yours respectfully, Wm. L. Todd."

The San Francisco *Evening Post* of April 20, 1874, has the following: "General Sherman has just forwarded to the Society of California Pioneers the guidon which the Bear Company bore at the time of the conquest of California. The relic is of white silk, with a two-inch wide red stripe at the bottom, and a bear in the center, over which is the inscription: 'Republic of California.' It is accompanied by the following letter from the donor:

"*Society of California Pioneers, San Francisco, California*—GENTLEMEN: At the suggestion of General Sherman, I beg leave to send to your Society herewith a guidon, formerly belonging to the Sonoma troop of the California Battalion of 1846, for preservation. This guidon I found among the effects of that troop when I hauled down the Bear Flag and substituted the flag of the United States at Sonoma, on the 9th of July, 1846, and have preserved it ever since. Very respectfully, etc.,

"JOS. W. REVERE, *Brigadier-General.*

"Morristown, N. J., February 20, 1874."

The garrison being now in possession, it was necessary to elect officers; therefore, Henry L. Ford was elected First Lieutenant; Granville P. Swift, First Sergeant, and Samuel Gibson, Second Sergeant. Sentries were posted, and a system of military routine inaugurated. In the forenoon, while on parade, Lieutenant Ford addressed the company in these words: "My countrymen! We have taken upon ourselves a very responsible duty. We have entered into a war with the Mexican nation. We are bound to defend each other or be shot! There's no half-way place about it. To defend ourselves we must have discipline. Each of you has had a voice in choosing your officers. Now they are chosen they must be obeyed." To which the entire band responded that the authority of the officers should be supported. The words of William B. Ide, in continuation of the letter quoted above, throw further light upon the machinery of the civil-military force: "The men were divided into two companies of ten men each. The First Artillery were busily engaged in putting the cannons in order, which were charged doubly with grape and canister. The First Rifle Company were busied in cleaning, repairing and loading the small arms. The Commander, after setting a guard and posting a sentinel on one of the highest buildings, to watch the approach of any persons who might feel a curiosity to inspect our operations, directed his leisure to the establishment of some system of finance, whereby all the defenders' families might be brought within the lines of our garrison, and supported. Ten thousand pounds of flour were purchased on the credit of the Government, and deposited with the garrison; and an account was opened, on terms agreed upon, for a supply of beef and a few barrels of salt, constituted our main supplies. Whisky was contrabanded altogether. After the first round of duties was performed, as many as could be spared off guard were called together, and our situation fully explained to the men by the commanders of the garrison.

"It was fully represented that our success—nay, our very life—depended on the magnanimity and justice of our course of conduct, coupled with sleepless vigilance and care. (But ere this we had gathered as many of the surrounding citizens as was possible, and placed them out of harm's way, between four strong walls. They were more than twice our number.) The

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Commander chose from these strangers the most intelligent, and by the use of an interpreter went on to explain the cause of our coming together; our determination to offer equal protection and equal justice to all good and and virtuous citizens; that we had not called them there to rob them of any portion of their property, or to disturb them in their social relations one with another; nor yet to desecrate their religion."

As will be learned from the foregoing, the number of those who were under the protection of the Bear flag within Sonoma had been considerably increased. A messenger had been dispatched to San Francisco to inform Captain Montgomery, of the United States ship "Portsmouth," of the action taken by them, he further stating that it was the intention of the insurgents never to lay down their arms until the independence of their adopted country had been established. Another message was dispatched about this time, but in a different direction. Lieutenant Ford, finding that the magazine was short of powder, dispatched two men, named Cowie and Fowler, to the Sotoyome rancho, owned by H. D. Fitch, for a bag of rifle powder. The former messenger returned, the latter, never. Before starting, they were cautioned against proceeding by traveled ways; good advice, which, however, they only followed for the first ten miles of their journey, when they struck into the main thoroughfare to Santa Rosa. At about two miles from that place they were attacked and slaughtered by a party of Californians. Two others were dispatched on special duty; they, too, were captured, but were better treated. Receiving no intelligence from either of the parties, foul play was suspected; therefore, on the morning of the 20th of June, Sergeant Gibson was ordered, with four men, to proceed to the Sotoyome rancho, learn, if possible, the whereabouts of the missing men, and procure the powder. They went as directed, secured the ammunition, but got no news of the missing men. As they were passing Santa Rosa, on their return, they were attacked at daylight by a few Californians, and turning upon their assailants, captured two of them, Blas Angelina and Bernardino Garcia, *alias* Three-fingered Jack, and took them to Sonoma. They told of the taking and slaying of Cowie and Fowler, and that their captors were Ramon Mesa Domingo, Mesa Juan Padilla, Ramon Carrillo, Bernardino Garcia, Blas Angelina, Francisco Tibran, Ygnacio Balensuella, Juan Peralta, Juan Soleto, Inaguan Carrello, Marieno Merando, Francisco Garcia, Ygnacio Stigger. The story of their death is a sad one. After Cowie and Fowler had been seized by the Californians, they encamped for the night, and the following morning determined in council what should be the fate of their captives. A swarthy New Mexican, named Mesa Juan Padilla, and Three-fingered Jack, the Californian, were loudest in their denunciation of the prisoners as deserving of death, and, unhappily, their counsels prevailed. The unfortunate young men were then led out, stripped

naked, bound to a tree with a lariat, while, for a time, the inhuman monsters practiced knife-throwing at their naked bodies, the victims the while praying to be shot. They then commenced throwing stones at them, one of which broke the jaw of Fowler. The fiend, Three-fingered Jack, then advancing, thrust the end of his riata (a rawhide rope) through the mouth, cut an incision in the throat, and then made a tie, by which the jaw was dragged out. They next proceeded to kill them slowly with their knives. Cowie, who had fainted, had the flesh stripped from his arms and shoulders, and pieces of flesh were cut from their bodies and crammed into their mouths, they being finally disemboweled. Their mutilated remains were afterwards found, and buried where they fell, upon the farm now owned by George Moore, two miles north of Santa Rosa. No stone marks the grave of these pioneers, one of whom took so conspicuous a part in the events which gave to the Union the great State of California.

Three-fingered Jack was killed by Captain Harry Love's Rangers, July 27, 1853, at Pinola Pass, near the Merced river, with the bandit, Joaquin Murietta; while Ramon Carrillo met his death at the hands of the Vigilantes, between Los Angeles and San Diego, May 21, 1864. At the time of his death, the above murder, in which it was said he was implicated, became the subject of newspaper comment, indeed, so bitter were the remarks made, that on June 4, 1864, the *Sonoma Democrat* published a letter from Julio Carrillo, a respected citizen of Santa Rosa, an extract from which we reproduce:—

"But I wish more particularly to call attention to an old charge, which I presume owes its revival to the same source, to wit: That my brother, Ramon Carrillo, was connected with the murder of two Americans, who had been taken prisoners by a company commanded by Juan Padilla, in 1846.

"I presume this charge first originated from the fact that my brother had been active in raising the company which was commanded by Padilla, and from the further fact that the murder occurred near the Santa Rosa farm, then occupied by my mother's family.

"Notwithstanding these appearances, I have proof which is incontestible, that my brother was not connected with this affair, and was not even aware that these men had been taken prisoners until after they had been killed. The act was disapproved of by all native Californians at the time, excepting those implicated in the killing, and caused a difference which was never entirely healed.

"There are, as I believe, many Americans now living in this vicinity, who were here at the time, and who know the facts I have mentioned. I am ready to furnish proof of what I have said to any who may desire it."

The messenger dispatched to the U. S. ship "Portsmouth" returned on the 17th in company with the First Lieutenant of that ship, John Storny

Missroom, and John E. Montgomery, son and clerk of Captain Montgomery, who dispatched by express letters from that officer to Fremont and Sutter. These arrived the following day, the 18th, and the day after, the 19th, Fremont came to Sutter's with twenty-two, men and José Noriega of San José and Vicente Peralta, as prisoners.

At Sonoma on this day, June 18th, Captain William B. Ide, with the consent of the garrison, issued the following:—

"A proclamation to all persons and citizens of the District of Sonoma, requesting them to remain at peace and follow their rightful occupations without fear of molestation.

"The commander-in-chief of the troops assembled at the fortress of Sonoma gives his inviolable pledge to all persons in California not found under arms, that they shall not be disturbed in their persons, their property, or social relation, one with another, by men under his command.

"He also solemnly declares his object to be:—first, to defend himself and companions in arms, who were invited to this country by a promise of lands on which to settle themselves and families; who were also promised a Republican Government; when, having arrived in California, they were denied the privilege of buying or renting lands of their friends, who, instead of being allowed to participate in or being protected by a republican Government, were oppressed by a military despotism; who were even threatened by proclamation by the chief officers of the aforesaid despotism with extermination if they should not depart out of the country, leaving all their property, arms and beasts of burden; and thus deprived of their means of flight or defense, were to be driven through deserts inhabited by hostile Indians to certain destruction.

"To overthrow a government which has seized upon the property of the missions for its individual aggrandizement; which has ruined and shamefully oppressed the laboring people of California by enormous exactions on goods imported into the country, is the determined purpose of the brave men who are associated under my command.

"I also solemnly declare my object, in the second place, to be to invite all peaceable and good citizens of California who are friendly to the maintenance of good order and equal rights, and I do hereby invite them to repair to my camp at Sonoma, without delay, to assist us in establishing and perpetuating a Republican Government, which shall secure to all, civil and religious liberty; which shall encourage virtue and literature; which shall leave unshackled by fetters, agriculture, commerce and manufactures.

"I further declare that I rely upon the rectitude of our intentions, the favor of heaven and the bravery of those who are bound and associated with me by the principles of self-preservation, by the love of truth and the hatred of tyranny, for my hopes of success.

"I furthermore declare that I believe that a government, to be prosperous and happy, must originate with the people who are friendly to its existence; that the citizens are its guardians, the officers its servants, its glory its reward. "WILLIAM B. IDE.

"Headquarters, Sonoma, June 18, 1846."

The Pioneer says Captain William B. Ide was born in Ohio, came overland, reaching Sutter's Fort in October, 1845. June 7, 1847, Governor Mason appointed him land surveyor for the northern district of California, and same month was Justice of the Peace at Cache creek. At an early day he got a grant of land which was called the Rancho Barranca Colorado, just below Red creek in Colusa county, as it was then organized. In 1851 he was elected County Treasurer, with an assessment roll of three hundred and seventy-three thousand two hundred and six dollars; moved with the county seat to Monroeville, at the mouth of Stoney creek; September 3, 1851, he was elected County Judge of Colusa county, and practiced law, having a license. Judge Ide died of small-pox at Monroeville on Saturday, December 18, 1852, aged fifty years.

Let us for a moment turn to the doings of Castro. On June 17th he issued two proclamations, one to the new, the other to the old citizens and foreigners. Appended are translations:

"The citizen, José Castro, Lieutenant-Colonel of Cavalry in the Mexican Army, and acting General Commandant of the Department of California.

"FELLOW-CITIZENS: The contemptible policy of the agents of the United States of North America in this Department has induced a number of adventurers, who, regardless of the rights of men, have designedly commenced an invasion, possessing themselves of the town of Sonoma, taking by surprise all the place, the military commander of that border, Col. Don Mariano Guadalupe Vallejo, Lieutenant-Colonel Don Victor Prudon, Captain Don Salvador Vallejo and Mr. Jacob P. Leese.

"Fellow-countrymen, the defense of our liberty, the true religion which our fathers possessed, and our independence, calls upon us to sacrifice ourselves rather than lose those inestimable blessings. Banish from your hearts all petty resentments; turn you, and behold yourselves, these families, these innocent little ones, which have unfortunately fallen into the hands of our enemies, dragged from the bosoms of their fathers, who are prisoners among foreigners, and are calling upon us to succor them. There is still time for us to rise *en masse*, as irresistible as retribution. You need not doubt but that Divine Providence will direct us in the way to glory. You should not vacillate because of the smallness of the garrison of the general headquarters, for he who will first sacrifice himself will be your friend and fellow-citizen, "JOSE CASTRO.

"Headquarters, Santa Clara, June 17, 1846."

"The citizen José Castro, Lieutenant-Colonel of Cavalry in the Mexican Army and Acting Commandant of the Department of California.

"All foreigners residing among us, occupied with their business, may rest assured of the protection of all the authorities of the Department while they refrain entirely from all revolutionary movements.

"The General Comandancia under my charge will never proceed with vigor against any persons, neither will its authority result in mere words, wanting proof to support it; declarations shall be taken, proofs executed, and the liberty and rights of the laborious, which is ever commendable, shall be protected.

"Let the fortunes of war take its chance with those ungrateful men, who, with arms in their hands, have attacked the country, without recollecting that they were treated by the undersigned with all the indulgence of which he is so characteristic. The imperative inhabitants of the department are witness to the truth of this. I have nothing to fear; my duty leads me to death or victory. I am a Mexican soldier, and I will be free and independent, or I will gladly die for those inestimable blessings.

"JOSE CASTRO.

"Headquarters, Santa Clara, June 17, 1846."

On June 20th a body of about seventy Californians, under Captain José Joaquin de la Torre, crossed the Bay of San Francisco, and, being joined by Correo and Padilla, marched to the vicinity of San Rafael, while General Castro had, by the utmost pressure, raised his forces to two hundred and fifty men, most of them being forced volunteers. Of this system of recruiting Lieutenant Revere says: "I heard that on a feast day, when the rancheros came to the mission in their 'go-to-meeting' clothes, with their wives and children, Castro seized their horses and forced the men to volunteer in defense of their homes, against *los salvages Americanos*. Castro, at the head of his army, on the evening of the 27th of June, marched out of Santa Clara, and proceeding around the head of the Bay of San Francisco, as far as the San Leandro creek, halted on the rancho of Estudillo, where we shall leave them for the present.

Captain J. C. Fremont, having concluded that it had become his duty to take a personal part in the revolution which he had fostered, on June 21st transferred his impedimenta to the safe-keeping of Captain Sutter at the fort, and recrossing the American river, encamped on the Sinclair rancho, where he was joined by Pearson B. Redding and all the trappers about Sutter's Fort, and there awaited orders. On the afternoon of the 23d, Harrison Pierce, who had settled in Napa valley in 1843, came into their camp, having ridden the eighty miles with but one change of horses, which he procured from John R. Wolfskill, on Putah creek, now Solano county, and conveyed to Fremont the intelligence that the little garrison at Sonoma

was greatly excited, consequent on news received that General Castro, with a considerable force, was advancing on the town and hurling threats of recapture and hanging of the rebels. On receiving the promise of Fremont to come to their rescue as soon as he could put ninety men into the saddle, Pierce obtained a fresh mount, and returned, without drawing rein, to the anxious garrison, who received him and his message with every demonstration of joy. Fremont, having found horses for his ninety mounted rifles, left the Sinclair rancho on June 23d—a curious-looking cavalcade, truly. One of the party writes of them:

"There were Americans, French, English, Swiss, Poles, Russians, Prussians, Chileans, Germans, Greeks, Austrians, Pawnees, native Indians, etc., all riding side by side, and talking a polyglot lingual hash never exceeded in diversibility since the confusion of tongues at the tower of Babel.

"Some wore the relics of their home-spun garments, some relied upon the antelope and the bear for their wardrobe, some lightly habited in buckskin leggings and a coat of war-paint, and their weapons were equally various.

"There was the grim old hunter with his long, heavy rifle, the farmer with his double-barreled shot-gun, the Indian with his bow and arrows, and others with horse-pistols, revolvers, sabres, ships' cutlasses, bowie-knives and 'pepper-boxes' (Allen's revolvers)."

Though the Bear Flag army was incongruous in *personnel*, as a body it was composed of the best fighting material. Each of them was inured to hardship and privation, self-reliant, fertile in resources, versed in woodcraft and Indian fighting, accustomed to handle firearms, and full of energy and daring. It was a band of hardy adventurers, such as in an earlier age wrested this land from the feebler aborigines. With this band Fremont arrived at Sonoma at two o'clock on the morning of June 25, 1846, having made forced marches.

The reader may not have forgotten the capture and horrible butchery of Cowie and Fowler by the Padilla party. A few days thereafter, while William L. Todd (the artist of the Bear flag) was trying to catch a horse at a little distance from the barracks at Sonoma, he was captured by the same gang, and afterwards falling in with another man, he, too, was taken prisoner. The party several times signified their intention of slaying Todd, but he fortunately knowing something of the Spanish tongue, was enabled to make them understand that his death would seal General Vallejo's doom, which saved him. He and his companion in misfortune, with whom he had no opportuuity to converse, but who appeared like an Englishman—a half fool and common loafer—were conveyed to the Indian rancheria called Olompoli, some eight miles from Petaluma.

For the purpose of liberating the prisoners and keeping the enemy in check until the arrival of Captain Fremont, Lieutenant Ford mustered a

squad, variously stated at from twenty to twenty-three men, among whom were Granville P. Swift, Samuel Kelsey, William Baldridge and Frank Bedwell, and on June 23d, taking with them the two prisoners, Blas Angelina and Three-fingered Jack, from Sonoma, marched for where it was thought the Californians had established their headquarters. Here they learned from some Indians, under considerable military pressure, that the Californian troops had left three hours before. They now partook of a hasty meal, and with one of the Indians as guide, proceeded towards the Laguna de San Antonio, and that night halted within half a mile of the enemy's camp. At dawn they charged the place, took the only men they found there prisoners; their number was four, the remainder having left for San Rafael.

Four men were left here to guard their prisoners and horses, Ford, with fourteen others, starting in pursuit of the enemy. Leaving the lagoon of San Antonio, and having struck into the road leading into San Rafael, after a quick ride of four miles, they came in sight of the house where the Californians had passed the night with their two prisoners, Todd and his companion, and were then within its walls enjoying themselves. Ford's men were as ignorant of their proximity as were the Californians of theirs. However, when the advanced guard arrived in sight of the corral, and perceiving it to be full of horses, with a number of Indian vaqueros around it, they made a brilliant dash to prevent the animals from being turned loose. While exulting over their good fortune at this unlooked for addition to their cavalry arm, they were surprised to see the Californians rush out of the house and mount their already saddled quadrupeds. It should be said that the house was situated on the edge of a plain, some sixty yards from a grove of brushwood. In a moment Ford formed his men into two half companies and charged the enemy, who, perceiving the movement, retreated behind the grove of trees. From his position Ford counted them, and found that there were eighty-five. Notwithstanding he had but fourteen in his ranks, nothing daunted, he dismounted his men, and taking advantage of the protection offered by the brushwood, prepared for action. The Californians, observing this evolution, became emboldened, and prepared for a charge. On this, Ford calmly awaited the attack, giving stringent orders that his rear rank should hold their fire until the enemy were well up. On they came, with shouts, the brandishing of swords and the flash of pistols, until within thirty yards of the Americans, whose front rank then opened a withering fire, and emptied the saddles of eight of the Mexican soldiery. On receiving this volley the enemy wheeled to the right-about and made a break for the hills, while Ford's rear rank played upon them at long range, causing three more to bite the earth, and wounding two others. The remainder retreated, helter-skelter, to a hill in the direction of San Rafael, leaving the two prisoners in the house. Ford's little force, having

now attained the object of their expedition, secured their prisoners of war, and going to the corral, where the enemy had a large drove of horses, changed their jaded nags for fresh ones, took the balance, some four hundred, and retraced their victorious steps to Sonoma, where they were heartily welcomed by their anxious countrymen, who had feared for their safety.

We last left Captain Fremont at Sonoma, where he had arrived at 2 A. M. of the 25th June. After giving his men and horses a short rest, and receiving a small addition to his force, he was once more in the saddle and started for San Rafael, where it was said Castro had joined De la Torre with two hundred and fifty men. At 4 o'clock in the afternoon they came in sight of the position thought to be occupied by the enemy. This they approached cautiously until quite close, then charged, the three first to enter being Fremont, Kit Carson, and J. W. Marshall (the future discoverer of gold), but they found the lines occupied by only four men, Captain Torre having left some three hours previously. Fremont camped on the ground that night, and on the following morning, the 26th, dispatched scouting parties, while the main body remained at San Rafael for three days. Captain Torre had departed, no one knew whither; he left not a trace; but General Castro was seen, from the commanding hills behind, approaching on the other side of the bay. One evening a scout brought in an Indian, on whom was found a letter from Torre to Castro, purporting to inform the latter that he would that night concentrate his forces and march upon Sonoma and attack it in the morning.

Captain Gillespie and Lieutenant Ford held that the letter was a ruse designed for the purpose of drawing the American forces back to Sonoma, and thus leave an avenue of escape open for the Californians. Opinions on the subject were divided; however, by midnight every man of them was in Sonoma. It was afterwards known that they had passed the night within a mile of Captain de la Torre's camp, who, on ascertaining the departure of the revolutionists, effected his escape to Santa Clara, *via* Saucelito.

On or about the 26th of June, Lieutenant Joseph W. Revere, of the sloop-of-war "Portsmouth," in company with Dr. Andrew A. Henderson and a boat load of supplies, arrived at Sutter's Fort; there arriving also on the same day a party of men from Oregon, who at once cast their lot with the "Bear Flag" band, while on the 28th another boat, with Lieutenants Washington and Bartlett, put in an appearance.

Of this visit of Lieutenant Revere to what afterwards became Sacramento city, he says:

"On arriving at the 'Embarcadero' (landing) we were not surprised to find a mounted guard of 'patriots,' who had long been apprised by the Indians that a boat was ascending the river. These Indians were indeed important auxiliaries to the Revolutionists, during the short period of strife between the parties contending for the sovereignty of California. Having

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been most cruelly treated by the Spanish race, murdered even, on the slightest provocation, when their oppressors made marauding expeditions for servants, and when captured compelled to labor for their unsparing taskmasters, the Indians throughout the country hailed the day when the hardy strangers from beyond the Sierra Nevada rose up in arms against the *hijos del pais* (sons of the country). Entertaining an exalted opinion of the skill and prowess of the Americans, and knowing from experience that they were of a milder and less sanguinary character than the rancheros, they anticipated a complete deliverance from their burdens, and assisted the revolutionists to the full extent of their humble abilities.

"Emerging from the woods lining the river, we stood upon a plain of immense extent, bounded on the west by the heavy timber which marks the course of the Sacramento, the dim outline of the Sierra Nevada appearing in the distance. We now came to some extensive fields of wheat in full bearing, waving gracefully in the gentle breeze like the billows of the sea, and saw the white-washed walls of the fort, situated on a small eminence commanding the approaches on all sides.

"We were met and welcomed by Captain Sutter and the officer in command of the garrison, but the appearance of things indicated that our reception would have been very different had we come on a hostile errand.

"The appearance of the fort, with its crenated walls, fortified gate-way and bastioned angles; the heavily-bearded, fierce-looking hunters and trappers, armed with rifles, bowie-knives and pistols; their ornamented hunting-shirts and gartered leggings; their long hair, turbaned with colored handkerchiefs; their wild and almost savage looks and dauntless and independent bearing; the wagons filled with golden grain; the arid, yet fertile plains; the *caballadas* driven across it by wild, shouting Indians, enveloped in clouds of dust, and the dashing horsemen scouring the fields in every direction; all these accessories conspired to carry me back to the romantic East, and I could almost fancy again that I was once more the guest of some powerful Arab chieftain, in his desert stronghold. Everything bore the impress of vigilance and preparation for defense, and not without reason, for Castro, then at the Pueblo de San José, with a force of several hundred men, well provided with horses and artillery, had threatened to march upon the valley of the Sacramento.

"The fort consists of a parallelogram, enclosed by adobe walls fifteen feet high and two thick, with bastions or towers at the angles, the walls of which are four feet thick, and their embrasures so arranged as to flank the curtain on all sides. A good house occupies the center of the interior area, serving for officers' quarters, armories, guard and state rooms, and also for a kind of citadel. There is a second wall on the inner face, the space between it and the outer wall being roofed and divided into workshops, quarters, etc., and the usual offices are provided, and also a well of good water. Corrals

for the cattle and horses of the garrison are conveniently placed where they can be under the eye of the guard. Cannon frown from the various embrasures, and the ensemble presents the very ideal of a border fortress. It must have 'astonished the natives' when this monument of the white-man's skill arose from the plain and showed its dreadful teeth in the midst of those peaceful solitudes.

"I found during this visit that General Vallejo and his companions were rigorously guarded by the 'patriots,' but I saw him and had some conversation with him, which it was easy to see excited a very ridiculous amount of suspicion on the part of his vigilant jailors, whose position, however, as revolutionists was a little ticklish and incited in them that distrust which in dangerous times is inseparable from low and ignorant minds. Indeed they carried their doubts so far as to threaten to shoot Sutter for being polite to his captives."

Fremont with his men having partaken of the early meal, on the morning of the 27th of June returned to San Rafael, being absent only twenty-four hours.

Castro, who had been for three days watching the movements of Fremont from the other side of the Bay, sent three men, Don José Reyes Berryessa, (a retired Sergeant of the Presidio Company of San Francisco,) and Ramon and Francisco de Haro (twin sons of Don Francisco de Haro, Alcalde of San Francisco in 1838–39), to reconnoiter, who landed on what is now known as Point San Quentin. On landing they were seized, with their arms, and on them were found written orders from Castro to Captain de la Torre, (who it was not known had made his escape to Santa Clara,) to kill every foreign man, woman and child. These men were shot on the spot—first, as spies; second, in retaliation for the Americans so cruelly butchered by the Californians. General Castro, fearing that he might, if caught, share the fate of his spies, left the rancho of the Estudillos, and after a hasty march arrived at the Santa Clara Mission on June 29, 1846.

Captain William D. Phelps, of Lexington, Mass., who was lying at Saucelito with his bark, the "Moscow," remarks, says Mr. Lancey:

"When Frement passed San Rafael in pursuit of Captain de la Torre's party, I had just left them, and he sent me word that he would drive them to Saucelito that night, when they could not escape unless they got my boats. I hastened back to the ship and made all safe. There was a large launch lying near the beach; this was anchored further off, and I put provisions on board to be ready for Fremont should he need her. At night there was not a boat on the shore. Torre's party must shortly arrive and show fight or surrender. Towards morning we heard them arrive, and to our surprise they were seen passing with a small boat from the shore to the launch; (a small boat had arrived from Yerba Buena during the night, which had proved their salvation.) I dispatched a note to the commander

of the 'Portsmouth,' sloop-of-war, then lying at Yerba Buena, a cove (now San Francisco), informing him of their movements, and intimating that a couple of his boats could easily intercept and capture them. Captain Montgomery replied that not having received any official notice of war existing he could not act in the matter.

"It was thus the poor scamps escaped. They pulled clear of the ship, and thus escaped supping on grape and canister, which we had prepared for them.

"Fremont arrived and camped opposite my vessel, the bark 'Moscow,' the following night. They were early astir the next morning, when I landed to visit Captain Fremont, and were all variously employed in taking care of their horses, mending saddles, cleaning their arms, etc. I had not up to this time seen Fremont, but from reports of his character and exploits my imagination had painted him as a large-sized, martial-looking man or personage, towering above his companions, whiskered, and ferocious-looking.

"I took a survey of the party, but could not discover any one who looked, as I thought, the captain to look. Seeing a tall, lank, Kentucky-looking chap (Doctor R. Semple), dressed in a greasy deer-skin hunting-shirt, with trowsers to match, and which terminated just below the knees, his head surmounted by a coon-skin cap, tail in front, who, I supposed, was an officer, as he was giving orders to the men. I approached and asked if the captain was in camp. He looked, and pointed out a slender-made, well-proportioned man sitting in front of the tent. His dress was a blue woolen shirt of somewhat novel style, open at the neck, trimmed with white, and with a star on each point of the collar (a man-of-war's-man's shirt), over this a deer-skin hunting-shirt, trimmed and fringed, which had evidently seen hard times or service, his head unincumbered by hat or cap, but had a light cotton handkerchief bound around it, and deer-skin moccasins completed the suit, which if not fashionable for Broadway, or for a presentation dress at court, struck me as being an excellent rig to scud under or fight in. A few minutes' conversation convinced me that I stood in the presence of the King of the Rocky Mountains."

Captain Fremont and his men remained at Saucelito until July 2d, when they left for Sonoma, and there prepared for a more perfect organization, their plan being to keep the Californians to the southern part of the State until the emigrants then on their way had time to cross the Sierra Nevada into California. On the 4th the National Holiday was celebrated with due pomp; while on the 5th the California Battalion of Mounted Riflemen, two hundred and fifty strong, was organized. Brevet-Captain John C. Fremont, Second Lieutenant of Topographical Engineers, was chosen Commandant; First Lieutenant of Marines, Archibald H. Gillespie, Adjutant and Inspector, with the rank of Captain. Says Fremont:—

"In concert and in co-operation with the American settlers, and in the

brief space of thirty days, all was accomplished north of the Bay of San Francisco, and independence declared on the 5th of July. This was done at Sonoma where the American settlers had assembled. I was called by my position and by the general voice to the chief direction of affairs, and on the 6th of July, at the head of the mounted riflemen, set out to find Castro.

"We had to make the circuit of the head of the bay, crossing the Sacramento river (at Knight's Landing). On the 10th of July, when within ten miles of Sutter's Fort, we received (by the hands of William Scott) the joyful intelligence that Commodore John Drake Sloat was at Monterey and had taken it on the 7th of July, and that war existed between the United States and Mexico. Instantly we pulled down the flag of Independence (Bear Flag) and ran up that of the United States amid general rejoicing and a national salute of twenty-one guns on the morning of the 11th from Sutter's Fort, with a brass four-pounder called 'Sutter.'"

We find that at 2 o'clock on the morning of July 9th, Lieutenant Joseph Warren Revere, of the "Portsmouth," left that ship in one of her boats, and reaching the garrison at Sonoma, did at noon of that day haul down the Bear Flag and raise in its place the Stars and Stripes; and at the same time forwarded one to Sutter's Fort by the hands of William Scott, and another to Captain Stephen Smith at Bodega. Thus ended what was called the Bear Flag war.

The following is the Mexican account of the Bear Flag war:—

"About a year before the commencement of the war a band of adventurers, proceeding from the United States, and scattering over the vast territory of California, awaited only the signal of their Government to take the first step in the contest for usurpation. Various acts committed by these adventurers in violation of the laws of the country indicated their intentions. But unfortunately the authorities then existing, divided among themselves, neither desired nor knew how to arrest the tempest. In the month of July, 1846, Captain Fremont, an engineer of the U. S. A., entered the Mexican territory with a few mounted riflemen, under the pretext of a scientific commission, and solicited and obtained from the Commandant-General, D. José Castro, permission to traverse the country. Three months afterwards, on the 19th of May (June 14th), that same force and their commander took possession by armed force, and surprised the important town of Sonoma, seizing all the artillery, ammunition, armaments, etc., which it contained.

"The adventurers scattered along the Sacramento river, amounting to about four hundred, one hundred and sixty men having joined their force.

NOTE.—We find that it is still a moot question as to who actually brought the first news of the war to Fremont. The honor is claimed by Harry Bee and John Daubenbiss, who are stated to have gone by Livermore and there met the gallant Colonel; but the above quoted observations purport to be Colonel Fremont's own.

They proclaimed for themselves and on their own authority the independence of California, raising a rose-colored flag with a bear and a star. The result of this scandalous proceeding was the plundering of the property of some Mexicans and the assassination of others—three men shot as spies by Fremont, who, faithful to their duty to the country, wished to make resistance. The Commandant-General demanded explanations on the subject of the Commander of an American ship-of-war, the "Portsmouth," anchored in the Bay of San Francisco; and although it was positively known that munitions of war, arms and clothing were sent on shore to the adventurers, the Commander, J. B. Montgomery, replied that 'neither the Government of the United States nor the subalterns had any part in the insurrection, and that the Mexican authorities ought, therefore, to punish its authors in conformity with the laws.'"

LEGISLATIVE HISTORY OF CONTRA COSTA COUNTY.

Organization—First Organization of Counties in the United States—Organization of Contra Costa County—Original Boundary—Present Boundary—Senatorial and Judicial Districts—Court of Sessions—Original Townships and Boundaries—Present Township Boundaries—Board of Supervisors—Election Precincts—Road and School Districts.

Political History—Mexican Government—U. S. Military Government—Constitutional Convention—San Jose the State Capital—Members of first Legislature—Governor Burnett Assumes Office—State Capital Removed—Records of Court of Sessions and Board of Supervisors—Gilman's suit against County—Table of Taxation—Table of County Officers—etc., etc.

THE FIRST ORGANIZATION OF COUNTIES IN THE UNITED STATES.—The first organization of counties in the United States of America originated in Virginia, her earliest settlers becoming proprietors of vast amounts of land, living apart in patrician splendor, imperious in demeanor, aristocratic in feeling, and being in a measure dictators to the laboring portion of the population. It will thus be seen that the materials for the creation of towns were not at hand, voters being but sparsely distributed over a very great area. The county organization was, moreover, in perfect accord with the traditions and memories of the judicial and social dignities of Great Britain, in descent from which country they felt so much glory. In 1634 eight counties were established in Virginia, a lead which was followed by the Southern and several of the Northern States, save in those of South Carolina and Louisiana, districts being outlined in the former, and parishes, after the custom of France, in the latter.

Towns were formed in New England before counties, while they in turn were organized before states, the powers of government of which were originally exercised by the towns or townships. The powers afterwards assumed by states were from surrender or delegation on the part of towns. Counties were created to define the jurisdiction of courts of justice. The formation of states was a union of towns, out of which arose the representative system, each town being represented in the State Legislature, or General Court, by delegates chosen by the freemen of the towns at their stated meetings.

The first town meeting of which we can find any direct evidence was held by the delegation of the Plymouth Colony on March 23, 1621, for the

purpose of perfecting military organization. At that meeting a Governor was elected for the ensuing year; and it is noticed as a coincidence, whether from that source or otherwise, that the annual town meetings in New England, and nearly all of the other States, have ever since been held in the Spring of the year. It was not, however, until 1635 that the township system was adopted as a *quasi corporation* in Massachusetts.

It may be interesting to note what were the provisions contained in the first legal enactment concerning this system. These were: "Whereas, particular towns have many things which concern only themselves, and the ordering of their own affairs, and disposing of business in their own towns; therefore the freemen of every town, or the major part of them, shall only have power to dispose of their own lands and woods, with all the appurtenances of said towns; to grant lots and to make such orders as may concern the well ordering of their own towns, not repugnant to the laws and orders established by the General Court. They might also impose fines of not more than thirty shillings, and choose their own particular officers, as constables, surveyors for highways, and the like." Evidently this enactment relieved the General Court of a mass of municipal details, without any danger to the powers of that body in controlling general measures of public policy. Probably, also, a demand of the freemen of the towns was felt for the control of their own home concerns.

The New England colonies were first governed by a "General Court," or Legislature, composed of a Governor and small Council, which Court consisted of the most influential inhabitants, and possessed and exercised both legislative and judicial powers, which were limited only by the wisdom of the holders. They made laws, ordered their execution, elected their own officers tried and decided civil and criminal causes, enacted all manner of municipal regulations, and, in fact, transacted all the business of the colony.

This system, which was found to be eminently successful, became general, as territory was added to the Republic, and states formed. Smaller divisions were in turn inaugurated and placed under the jurisdiction of special officers, whose numbers were increased as time developed a demand, until the system of township organization in the United States is a matter of just pride to her people.

Let us now consider the topic in regard to the especial subject at present before us.

Organization of Contra Costa County.—On the acquisition of California by the Government of the United States, under a treaty of peace, friendship, limits and settlement with the Mexican Republic, dated Guadalupe Hidalgo, February 2, 1848, the boundaries of the State were defined. This treaty was duly ratified by the President of the United States, March 16th, of the same year; exchanged at Queretaro, May 30th, and finally

promulgated July 4th by President Polk, and attested by Secretary of State James Buchanan. In 1849 a Constitutional Convention assembled in Monterey, and at the close of the session, October 12th, a proclamation calling upon the people to form a government was issued, "to designate such officers as they desire to make and execute the laws; that their choice may be wisely made, and that the government so organized may secure the permanent welfare and happiness of the people of the new State, is the sincere and earnest wish of the present executive, who, if the Constitution be ratified, will, with pleasure, surrender his powers to whomsoever the people may designate as his successor." This document bore the signatures: "B. Riley, Bvt. Brig. General, U. S. A., and Governor of California," and "official H. W. Halleck, Bvt. Capt. and Secretary of State."

In accordance with Section fourteen of Article twelve of the Constitution, it was provided that the State be divided into counties, while the first session of the Legislature, which began at San José on December 15, 1849, passed, February 18, 1850, "An Act subdividing the State into counties and establishing seats of justice therein." This Act was finally confirmed April 25, 1851, and directed the boundaries of Contra Costa county to be as under:

ORIGINAL BOUNDARY.—"Beginning at the mouth of Alameda creek and running thence in a southwesterly direction to the middle of the Bay of San Francisco; thence in a northerly or northwesterly direction, following, as near as may be the middle of the Bay to the Straits of San Pablo; thence up the middle of the Bay of San Pablo to the Straits of Carquinez; thence running up the middle of said Straits to the Suisun Bay, and up the middle of said Bay to the mouth of the San Joaquin river; thence following up the middle of said river to the place known as Pescadero or lower crossing; thence in a direct line to the northeast corner of Santa Clara county, which is on the summit of the Coast Range, near the source of Alameda creek; thence down the middle of said creek to its mouth, which was the place of beginning, including the islands of San Pablo, Coreacas and Tesoro. The seat of Justice shall be at the town of Martinez."

On March 25, 1853, an Act was passed by the Legislature whereby the county of Alameda was formed from the southern portion of Contra Costa, and a slice of Santa Clara county, leaving the present official boundary to be as follows:

PRESENT BOUNDARY.—"Beginning in the Bay of San Francisco, at the northwest point of Red Rock, being the common corner of Marin, Contra Costa and San Francisco, as established in Section three thousand nine hundred and fifty of the Political Code of the State of California; thence up the Straits and Bay of San Pablo, on the eastern boundary of Marin, to the point of intersection with the line bearing south twenty-six and one-half

degrees east, and about six and one-quarter miles distant from the southwest corner of Napa county, as established in Section three thousand nine hundred and fifty-eight, forming the common corner of Marin, Solano, Sonoma and Contra Costa, as established in Section three thousand nine hundred and fifty-five; thence to the Straits of Carquinez; thence up said Straits and Suisun Bay, to the mouth of the San Joaquin river; thence up said river to the confluence of the west and main channels thereof, as laid down in Gibbe's map; thence up said west channel to a point about ten miles below Moore and Rhode's ranch, at a bend where the said west channel, running downward, takes a general course north, the point being on the westerly line of San Joaquin county, and forming the northeast corner of Alameda and southeast corner of Contra Costa; thence on the northern line of Alameda, as laid down on Horace A. Higley's map, and as established in Section three thousand nine hundred and fifty-three, to the easterly line of San Francisco city and county, as established in Section three thousand nine hundred and fifty; thence due northwest along said easterly line of San Francisco, four and one-half miles, more or less, to the place of beginning, county seat, Martinez."

The basis of this boundary is from the Statutes, 1851, p. 174; 1852, p. 173, and 1853, p. 56.

Senatorial Districts.—In the first partition of the State, Contra Costa was attached to Santa Clara county for Senatorial purposes, and so continued until 1854, when it elected a joint Senator with the county of San Joaquin. Thus it remained until 1862, when it was attached to Marin, which is its present position.

Judicial Districts.—The State of California was divided into Judicial Districts March 29, 1850, and John H. Watson became Judge of the Third District, which comprised the counties of Contra Costa, Santa Clara, Santa Cruz and Monterey. In 1853 Contra Costa was attached to the Seventh Judicial District, which embraced Solano, Napa, Sonoma and Marin, and so continued until March, 1862, when the county became a portion of the Fourth Judicial District, being in the following year annexed to the Third Judicial District. In 1864, it was made a part of the Fifteenth Judicial District, and so remained until the passing of the New Constitution.

Court of Sessions.—On April 11, 1850, an act of the Legislature was passed organizing the Court of Sessions, in which body, as will be seen, was vested the entire general civil business of the county. This Court consisted of the County Judge, who should preside at its sessions, assisted by two Justices of the Peace of the County as Associate Justices, they being chosen by their brother Justices from out of the whole number elected for the county. The duties imposed upon this orgnization were multifarious. They

made such orders respecting the property of the county as they deemed expedient, in conformity with any law of the State, and in them were vested the care and preservation of said property. They examined, settled and allowed all accounts chargeable against the county; directed the raising of such sums for the defraying of all expenses and charges against the county, by means of taxation on property, real and personal, such not to exceed, however, the one-half of the tax levied by the State on such property; to examine and audit the accounts of all officers having the care, management, collection and disbursement of any money belonging to the county, or appropriated by law, or otherwise, for its use and benefit. In them was the power of control and management of public roads, turnpikes, fences, canals, roads and bridges within the county, where the law did not prohibit such jurisdiction; and make such orders as should be requisite and necessary to carry such control and management into effect; to divide the county into townships, and to create new townships, and change the division of the same as the convenience of the county should require. They established and changed election precincts; controlled and managed the property, real and personal, belonging to the county, and purchased and received donations of property for the use of the county, with this proviso, that they should not have the power to purchase any real or personal property, except such as should be absolutely necessary for the use of the county. To sell and cause to be conveyed, any real estate, goods, or chattels belonging to the county, appropriating the funds of such sale to the use of the same. To cause to be erected and furnished, a Court-house, jail and other buildings, and to see that the same are kept in repair, and otherwise to perform all such other duties as should be necessary to the full discharge of the powers conferred on such Court. Terms were ordered to be held on the second Monday of February, April, June, August, October and December, with quarterly sessions on the third Monday of February, May, August and November of each year.

No time would appear to have been lost in the organization of the Court in Contra Costa county, for we find it at work under the direction of County Judge F. M. Warmcastle on April 17, 1850.

ORIGINAL TOWNSHIP BOUNDARIES.—On that date the county was first divided into townships, as follows:

NEW YORK.—The township of New York by a line commencing in the Suisun bay on the boundary line of the county opposite a point of elevated headland on the shore of said bay nearly equidistant between the towns of New York and Martinez, running to said point of headland; from thence by the east summit of Monte del Diablo to a point on the boundary line of said county two miles south of Livermore's Rancho; thence easterly along said county line to the middle of the main channel of the San

Joaquin river opposite the lower crossing of said river; thence down the middle of the main channel of said river to its mouth; thence down the middle of the Suisun bay along the boundary line of said county of Contra Costa to the place of beginning.

MARTINEZ.—Commencing at the boundary line of Contra Costa county in the Suisun Bay, at the western boundary line of New York township; thence along the western boundary line of said township to its termination on the county line, two miles below or south of Livermore's Rancho; thence along the eastern boundary line and down the middle of Alameda creek to its mouth; thence along the western boundary line of Contra Costa county to a point in the bay opposite the mouth of the creek running down from the Maragna (Moraga) Redwoods; thence up the middle of said creek to where it forks, about three miles below the redwoods; thence up to the top of the ridge between the two forks of the creek; thence along the summit of said ridge to an elevated point of land known as Cape Horn; thence in a direct line to Pinola (Pinole) Point, at the mouth of the Straits of Carquinez, and to the middle of the straits, to the northern boundary line of the county of Contra Costa; thence through the middle of the Straits of Carquinez along said county line to the place of beginning.

SAN ANTONIO.—Commencing at the northwestern boundary line of Martinez township, on the northern boundary line of Contra Costa county; thence along the western boundary line of Martinez township to its termination on the eastern boundary line of San Francisco county; thence along the western boundary line of Contra Costa county at low water mark to Golden Rock; thence up the middle of San Pablo Bay to the place of beginning.

These townships were, however, found to be too unwieldy. Thereupon the petition of certain citizens in the eastern portion of Martinez township praying that a portion of it should be set off and recognized as a separate division; therefore the Court organized the township of

ALAMEDA.—Commencing at the mouth of the Redwood creek; thence running up said creek near the redwoods; thence east to the source of the Arroyo San Ramon; thence down the San Ramon to its junction with the Euguarto; thence in an easterly direction to the eastern boundary line of the county, at the boundary line of New York and Martinez townships; thence along the eastern boundary of the county and township to the place of beginning.

Upon the petition of the citizens of San Antonio township, the Board of Supervisors, who had undertaken the affairs of the county under the Act of the Legislature passed May 3, 1852, on August 12th defined the township of

CONTRA COSTA.—That said township of San Antonio be divided, and ordered that the portion of said township being embraced within the limits of the town of Oakland be set apart, and designated the township of Contra Costa; and that the balance of the present township of San Antonio remain as the township of San Antonio.

Still, the townships would seem to have been too large, for the Board of Supervisors, under date October 18, 1852, created the township of

SAN PABLO.—All that portion of San Antonio township from the Martinez township line to the Cerrito of San Pablo be set off from the said township of San Antonio, and the same be called the township of San Pablo.

While from Martinez township there was formed the district of

MONTE DIABLO.—Commencing seven miles from the shore on the line of New York township; thence running at right angles to the head of Pinole valley, intersecting the line of San Antonio township, and that said portion so set off shall be called the township of Monte Diablo.

Besides these, the following townships were partitioned off:—

SAN LORENZO and SAN ANTONIO.—That Alamo township* with the present boundary terminating towards the west, with the highest point on the ridge of the Contra Costa range, and San Antonio township with its present boundary from Cerrito down to the San Lorenzo creek be divided and two townships be created, the San Antonio township to extend from Cerrito of San Pablo to San Leandro and designated the township of San Antonio; and from San Leandro creek to the boundary line of Santa Clara county be designated San Lorenzo township.

On August 7, 1854, the county was re-districted throughout by the Court of Sessions, who had again come into power, and the townships numbered in lieu of the names they had hitherto borne.

TOWNSHIP NUMBER ONE.—Beginning at the northern boundary line of the county at the north side of the mouth of Walnut creek to a point opposite the dividing ridge between Taylor's valley and the residence of Widow Welch; thence northerly along said ridge, passing two hundred yards east of the house of William Allen, to the dividing ridge between the waters of Walnut creek and the Arroyo el Hambre; thence westwardly passing north of the house of A. R. Meloney to the San Pablo creek one-half mile south of the house formerly occupied by John F. S. Smith; thence northwardly to San Pablo bay one-fourth of a mile west of the mouth of Pinole creek; thence to the northern boundary line of the county and eastwardly along the same to the place of beginning.

* There is no record of the creation of this Township, nor is there any of its boundaries.

G Hanxhurst.

Township Number Two.—Beginning at Walnut creek opposite the dividing ridge between Taylor's valley and the residence of Widow Welch; thence up the channel of Walnut creek to the crossing on the road from Thomas J. Jones' to David Hunsaker's; thence south to the boundary line of the county; thence along the southern and western boundary line of the county to the head of the Cerrito creek; thence easterly, passing one-half mile south of the house formerly occupied by John F. S. Smith and north of the residence of A. R. Meloney to the dividing ridge between the waters of Walnut creek and El Hambre; thence southwardly, passing two hundred yards east of the house of William Allen along the ridge between Taylor's valley and the residence of Widow Welch to the place of beginning.

Township Number Three.—Beginning at the northern boundary line of the county, one-fourth of a mile west of the mouth of Pinole creek; thence southerly along the west line of Township Number One to the San Pablo creek, one-half mile south of the house formerly occupied by John F. S. Smith; thence westerly to the source of Cerrito creek, dividing the ranchos of San Pablo and San Antonio, being the boundary line between the counties of Alameda and Contra Costa; thence along the boundary line between Contra Costa and Alameda counties to the northwest corner of the county line; thence easterly along the county boundary to the place of beginning.

Township Number Four.—Beginning at the boundary line of the county, east of the house of Robert Livermore; thence westerly, passing north of the residence of Livermore, to the summit of Monte Diablo; thence along the summit of the highest ridge to a point due east of the junction of the Arroyo San Ramon with Walnut creek, near the house of George W. Thorne; thence westerly to the junction of San Ramon and Walnut creeks; thence along the channel of Walnut creek to the crossing of the road leading from the house of Thomas J. Jones, in Taylor's valley, to the residence of Daniel Hunsaker; thence south to the boundary line of the county; thence easterly along the southern boundary line of the county to the place of beginning.

Township Number Five.—Beginning at the northern boundary line of the county, at the north side of the mouth of Walnut creek; thence to and along the channel of Walnut creek to its conjunction with the Arroyo San Ramon; thence easterly along the dividing ridge to the summit of Monte Diablo; thence easterly along the dividing ridge north of the valley of Tassajara to a point south of the house of John McGreer; thence northerly, passing one mile east of the house of John McGreer, to the dividing ridge between Pacheco's and New York; thence northerly along said dividing ridge to a point in Suisun Bay two hundred yards west of the house of J.

H. Clark; thence to and westerly along the northern boundary line of the county to the place of beginning.

Township Number Six.—Beginning at the lower crossing on the San Joaquin River, known as the Pescadero; thence westerly along the boundary line of the county to a point east of the house of Robert Livermore; thence westerly along the line of Township Number Four to a point south of the house of John McGreer; thence northerly along the line of Township Number Six to the dividing ridge between New York and Pacheco valley; thence along the eastern line of Township Number Six to the northern boundary line of the county; thence easterly along the boundary line of the county to the place of beginning.

It was ordered by the Board of Supervisors who again held sway over the civil destinies of Contra Costa county, under date August 8, 1855, that the division into townships made the year previous by the Court of Sessions should be legalized and confirmed. It was directed, however, that *Township Number One* should be so far changed as to include the territory within the following boundaries: Commencing at a point on Walnut creek one-fourth of a mile north of the house of F. M. Warmcastle; thence running in a southerly direction along the channel of said creek to the mouth of a small creek which empties into said Walnut creek near the house of Thomas J. Jones; thence running in a southerly direction to the southwest corner of Township Number Four on the southern boundary of the county; thence westerly and following said boundary line of the county to Cerrito creek; thence in a northerly direction to the San Pablo creek at a point where the line dividing Township Number One from Township Number Three strikes said creek, and near the house formerly occupied by John F. S. Smith; thence in an easterly direction to a point one-half mile north of the house of A. R. Meloney; thence to the place of beginning.

Heretofore we have seen the county partitioned off into six townships; on October 16, 1856, this distribution was again changed, the result being three townships in all, as under:

Township Number One.—Bounded by a line beginning at the mouth of Walnut creek; thence up the main channel thereof to a point one-half mile north of the house of F. M. Warmcastle; thence westerly, passing one-eighth of a mile north of the house of A. R. Meloney to San Pablo creek, one-half mile west of the house formerly occupied by John F. S. Smith; thence south to the boundary line of the county; thence northwesterly and continuing along the boundary line of the county to a point on Suisun Bay opposite the mouth of Walnut creek; thence to the place of beginning.

Township Number Two.—Beginning at a point on Walnut creek one-half mile north of the house of F. M. Warmcastle; thence westerly following

the line of Township Number One to the boundary line of the county; thence easterly along the said boundary line of the county to a point near the house of Robert Livermore; thence westerly, following the dividing ridge north of Tassajara valley to the summit of Monte Diablo; thence westerly to Walnut creek at a point on said creek at the bridge near John Nicholson's; thence down the creek to the place of beginning.

TOWNSHIP NUMBER THREE.—Bounded on the west and south by Townships Numbers One and Two, and on the northeast by the boundary line of the county.

TOWNSHIP NUMBER ONE.—These divisions remained undisturbed until February 9, 1870, when the Board of Supervisors ordered that all that portion of Contra Costa county heretofore known as Township Number One, which lies easterly of a line commencing at a point on the north shore of the Straits of Carquinez where the line dividing the Pinole Rancho from the Rancho Cañada del Hambre intersects the shore; thence running on said division line between said two ranchos, southeasterly, easterly, southerly and so on, following the line dividing said ranchos until it intersects the public road from Martinez to San Pablo; thence in a direct line to the bridge which spans a creek near the Rodeo Valley school-house; thence due south to Rodeo creek; thence up Rodeo creek to its source; thence due south to the line dividing Townships One and Two as heretofore established, be and the same is hereby established as and declared to be Township Number One of Contra Costa county.*

TOWNSHIP NUMBER FOUR.—And all that portion of said Township Number One, as heretofore established, lying westerly of said line, hereinbefore described, be and the same is hereby established as and declared to be Township Number Four of Contra Costa county.†

On May 8, 1872, yet another change in the boundaries of the townships took place.

TOWNSHIP NUMBER ONE.—Commencing on the county line in Suisun Bay, on the township line, according to United States survey, between township three north, range one west, and township three north, range two west; thence running south to the northwest corner of section eighteen, township two north, range one west, on the northern boundary line of the Pacheco Grant; thence in a southeasterly direction along the boundary line of said grant to the most eastern boundary of the grant; thence south and southwesterly along the boundary line of said grant to its southern extremity; thence northwesterly along the boundary line of said grant to the northern extremity of the Rancho San Miguel; thence southwesterly along the line

* This order was abrogated by the Board of Supervisors on February 6, 1871, but the Township was re-established on August 8th, following.

† This order was rescinded August 9, 1871.

dividing the San Miguel and Pacheco Grants to Walnut creek; thence northwesterly one-half mile to the southern line of section two, township one north, range two west; thence due west on the southern line of sections two, three, four, five and six, same townships and range, to the eastern boundary of the Rancho la Bocha de la Cañada de Pinole; thence south along said eastern boundary line two miles; thence west half a mile; thence south one mile to the northern boundary of the Rancho Acalanes; thence west along the southern boundary of the Rancho la Bocha de la Cañada de Pinole to the southwestern corner; thence in a southwestern direction, crossing the summit of Rocky Mound to the Alameda county line; thence following the Contra Costa county line around to the place of beginning.

Township Number Two.—Commencing at the southern corner of Pacheco Rancho; thence south one mile to the middle of section twenty-one, township one north, range one west; thence east one mile; thence south two miles; thence east one mile; thence south half a mile to the Monte Diablo base line; thence east one and one-half miles to the summit of Monte Diablo; thence south on the meridian line three miles; thence east four miles; thence south one mile; thence east to the western boundary line of the Cañada de los Vaqueros Rancho; thence southerly on said western boundary line to the Alameda county line, to the southern boundary of Township Number One; thence northeasterly along said southern boundary line to the place of beginning.

Township Number Three.—Commencing on the county line in Suisun Bay on the eastern boundary of Township Number One; thence southeasterly on said eastern boundary line to the eastern boundary of Township Number Two; thence southeasterly along the northeastern boundary line of said Township Number Two to the Alameda county line; thence easterly on said county line to the eastern boundary line of Contra Costa county; thence northerly and westerly on said county line to the place of beginning.

On June 11, 1872, two judicial townships, numbered one and two, were created from out of Township Number One, and bounded as follows: Commencing at the Lots thirty-nine and forty of the Welch Rancho, on the eastern boundary thereof, on the Walnut creek; thence running due west on the line between Lots nine and ten, eight and eleven of said rancho until said lines intersect the eastern side of the Martinez and San Ramon public highway; thence following along the middle line of said road to the line dividing Supervisor Districts One and Two; thence along said lines until the same intersect Supervisor Districts One and Three; thence easterly along said lines dividing Supervisor Districts One and Three and Supervisor District Number Three; thence following the middle of Suisun Bay to a

point opposite the center of Walnut creek; thence following said creek to the point of beginning.*

PRESENT TOWNSHIP BOUNDARIES.—This now brings us to the townships which obtain at the present writing. These were made the subject of a redistribution by the Board of Supervisors on May 12, 1873, and are as follows:

Township Number One.—Commencing at a point in the county line opposite the center of the mouth of Walnut creek; thence up said creek with its meanderings until it intersects the line dividing Lots thirty-nine and forty of the Welch Rancho, on the eastern boundary thereof, on Walnut creek; thence running due west on the line between Lots nine and ten and eight and eleven of said rancho to intersect the Martinez and San Ramon public highway; thence following along the middle line of said public highway, in a southeasterly direction, to the section line dividing sections four and nine, township one north, range two west; thence west one and three-fourths miles; thence south two miles; thence west one-half mile to the township line; thence south one mile; thence west to the southwest corner of the Rancho de la Bocha de la Cañada del Pinole; thence southwest to intersect the county line at the southeast corner of section thirty-one, township one north, range three west; thence westerly following the township line into the Bay of San Francisco; thence following the county line in the Bays of San Francisco and San Pablo, Straits of Carquinez and Suisun Bay to the point of beginning.

Township Number Two.—Commencing at a point on the line of Township Number One where said line crosses the western boundary line of the Rancho Las Junitas; thence following said ranch line in a southeasterly direction to the section line between sections twenty-two and twenty-seven, township one north, range two west; thence east to the southwest corner of section nineteen, township one north, range one west; thence south to the southern line of the Rancho Arroyo de las Nueces; thence following said ranch line in an easterly direction to the southwest corner of section one, township one south, range one west; thence east one mile to the meridian line; thence south two miles; thence east four miles; thence south one mile; thence east one mile; thence south one mile; thence east to the western line of the Cañada de los Vaqueros Rancho; thence southerly, following the line of said rancho, to the county line; thence along the county line westerly to the line of Township Number One; thence along said township line northeasterly to the place of beginning.

Township Number Three.—Commencing at a point in the county line opposite the mouth of Walnut creek where the easterly line of Township

* This order was amended August 6, 1872, and the territory laid off created into Township Number Four.

Number One intersects said county line; thence following said easterly line of Township Number One southerly to the northern and eastern line of Township Number Two; thence following the line of said Township Number Two southeasterly to the meridian line; thence north one mile; thence west one and one-half miles; thence north one-half mile; thence west one mile; thence north two miles; thence west one mile; thence north to the southern corner of the Monte del Diablo Grant; thence following the grant line northeasterly to the southwest corner of section twenty-six, township two north, range one west; thence east one mile; thence north to the county line; thence westerly along said county line to the point of beginning.

Township Number Four.—Commencing at a point in the county line where the eastern line of Township Number Three intersects said county line; thence following the easterly line of said Township Number Three in a southerly direction to the line of Township Number Two south, and east to the southeast corner of section twenty-five, township one north, range one east; thence north six miles; thence west one mile; thence north six miles; thence west two miles; thence north to the county line; thence westerly on said county line to the point of beginning.

Township Number Five.—Commencing at a point in the county line where the eastern line of Township Number Four intersects said line; thence following the line of Township Number Four southerly to the line of Township Number Two; thence following the line of said Township Number Two east and south to the county line; thence easterly along the county line to the San Joaquin River; thence following the county line down said river to the point of beginning.

Board of Supervisors.—Up until the passage of the Act of May 3, 1852, which created a Board of Supervisors for Contra Costa county, the Court of Sessions had full control of the affairs of the county. That Act was entitled "An Act to create a Board of Supervisors in the counties in this State, and to define their duties and powers." For better reference its ninth section is here reproduced in full: "The Board of Supervisors shall have power and jurisdiction in their respective counties: *First.*—To make orders respecting the property of the county in conformity with any law of this State, and to take care of and preserve such property. *Second.*—To examine, settle, and allow all accounts legally chargeable against the county, and to levy, for the purposes prescribed by law, such amount of taxes on the assessed value of real and personal property in the county as may be authorized by law; *provided*, the salary of the County Judge need not be audited by the Board, but the County Auditor shall, on the first judicial day of each month, draw his warrant on the County Treasurer in favor of the County Judge, for the amount due such Judge as salary for the month preceding. *Third.*—To examine and audit the accounts of all officers having

the care, management, collection or disbursement of any money belonging to the county, or appropriated by law, or otherwise, for its use and benefit. *Fourth.*—To lay out, control and manage public roads, turnpikes, ferries and bridges within the county, in all cases where the law does not prohibit such jurisdiction, and to make such orders as may be requisite and necessary to carry its control and management into effect. *Fifth.*—To take care of and provide for the indigent sick of the county. *Sixth.*—To divide the county into townships, and to change the divisions of the same, and to create new townships, as the convenience of the county may require. *Seventh.*—To establish and change election precincts, and to appoint inspectors and judges of elections. *Eighth.*—To control and manage the property, real and personal, belonging to the county, and to receive by donation any property for the use and benefit of the county. *Ninth.*—To lease or to purchase any real or personal property necessary for the use of the county; *provided,* no purchase of real property shall be made unless the value of the same be previously estimated by three disinterested persons, to be appointed for that purpose by the County Judge. *Tenth.*—To sell at public auction at the Court-house of the county, after at least thirty days' previous public notice, and cause to be conveyed, any property belonging to the county, appropriating the proceeds of such sale to the use of the same. *Eleventh.*—To cause to be erected and furnished, a Court-house, jail, and such other public buildings as may be necessary, and to keep the same in repair; *provided,* that the contract for building the Court-house, jail, and such other public buildings, be let out at least after thirty days' previous public notice, in each case, of a readiness to receive proposals therefor, to the lowest bidder, who will give good and sufficient security for the completion of any contract which he may make respecting the same; but no bid shall be accepted which the Board may deem too high. *Twelfth.*—To control the prosecution and defense of all suits to which the county is a party. *Thirteenth.*—To do any and perform all such other acts and things as may be strictly necessary to the full discharge of the powers and jurisdiction conferred on the Board."

In pursuance of this enactment an election was held June 14, 1852, for the election of a Board of Supervisors for Contra Costa county, when five gentlemen were chosen to fill the high office.

The Board maintained its position until March 25, 1854, when they were replaced by the Court of Sessions, who in turn, in accordance with the Act of the Legislature passed March 20, 1855, were succeeded by another conclave of Supervisors. To elect these the county was, by the County Clerk, County Assessor and County Surveyor, divided into three Supervisor Districts, since when these have conformed to the changes made in the redistribution of townships.

ELECTION PRECINCTS.—When the vote for the Old Constitution was taken on November 13, 1849, there were but three election precincts within what was then known as Contra Costa county—namely, at the Moraga Redwoods, Martinez and San Antonio (now Brooklyn, Alameda county.) For the election of April 1, 1850, the precinct of New York was added to those already created, while, on October 7th, of the same year, the precincts were Martinez, San Antonio, San Ramon (Dublin), and New York. The first record, however, which we can find of a distribution of voting precincts is for the election called for September 3, 1851, when the following polling places were established: At the Court-house in the town of Martinez, and the house of José Maria Amador, for the township of Martinez; the houses of Victor Castro and Vicente Peralta, in and for the township of San Antonio; and the house of William W. Smith in Antioch, and at the Lower Ferry on the San Joaquin river, in and for the township of New York. These, with a few additions, continued until the redistribution of the county into townships on August 10, 1854, when the following were created: *Township No. 1.*—At the Court-house in Martinez, and at the house of B. V. Merle at Pinole. *Township No. 2.*—At Prince's Mill in the Redwoods, and Hough's Store. *Township No. 3.*—At the hotel of Gabriel Castro. On August 8, 1855, the county being then partitioned into six townships, eleven voting precincts were established. These were again changed to ten precincts on the redistribution of the county into three townships and Supervisor Districts on October 16, 1856; while ten years later, June 5, 1866, the county was divided as follows: *Township No. 1.*—Martinez, San Pablo. *Township No. 2.*—La Fayette, San Ramon, Danville. *Township No. 3.*—Pacheco, Clayton, Nortonville, Somersville, Antioch. May 7, 1867, Pinole precinct was created; on August 5, 1868, the precincts of Walnut Creek and Point of Timber were added to the list.

Naturally, when the increase of population has been so great, the precincts enumerated above have proved insufficient for the wants of the voters, until, at the present writing, they are twenty in number, and are as follows: Martinez, Pinole, San Pablo, Port Costa, Lafayette, Walnut Creek, Danville, Tassajara, Pacheco, Concord, Clayton, Nortonville, Somersville, New York, Morgan Territory, Antioch, Empire, Webb's Landing, Point of Timber and Brentwood.

ROAD DISTRICTS.—Another criterion of the rapid development of a hitherto sparsely peopled country is the want immediately felt for carefully laid out roads and easy means of transport. He who has experienced such a desire can fully appreciate the comfort of well-graded thoroughfares and smoothly macadamized streets. The scarcely to be recognized trails give place, as if by magic, to the skill of the surveyor; the dangerous ford to the well-built bridge and the impenetrable undergrowth to the road-maker's

ax. In a few short years miraculous changes are worked, and science brings places within comfortable travel and neighbors within ken. Contra Costa in the pre-American days was not a whit better off than the neighboring counties; when the first roads were laid out, however, we have been unable to trace, but the records of the Court of Sessions inform us that as early as July 20, 1850, the county was partitioned into districts and the following roads declared Public Highways:—

One and *Two.*—From Martinez to Pueblo de San José, divided into two districts, the first being from Martinez to the farm of Francisco Garcia; the second from thence to the line dividing the counties of Contra Costa and Santa Clara, the overseers appointed being respectively N. B. Smith and Joseph Rothenhostler. *Three.*—The streets in the town of Martinez were declared to be District Number Three and placed under the supervision of A. Van Herne Ellis. *Four.*—The road then usually traveled from Martinez by the house of Salvio Pacheco to the town of New York of the Pacific was classed as District Number Four, with Henry F. Joye, Overseer. *Five.*—The road from the Moraga Redwoods to that leading from Martinez to San José, terminating on said road nearly equidistant from Martinez to the house of Widow Welch, was established as District Number Five, and E. Miller appointed Overseer. *Six.*—The road usually traveled from the rancho of Vicente Castro by the rancho of Elam Brown, intersecting the road from the Moraga Redwoods to Martinez near the house of Jonah Bernell was defined as District Number Six, and Elam Brown appointed Overseer. *Seven.*—The road leading from the crossing of the San Joaquin to the Pueblo de San José by the rancho of Robert Livermore, and to where it intersects that leading from Martinez to the Pueblo de San José, as belonged to the county of Contra Costa, was declared to be District Number Seven, and placed in charge of Greene Patterson, Overseer.

This same minute also orders all able-bodied males between the ages of eighteen and forty-five years to be called upon to work on these thoroughfares for five days in each year, or cause such amount of work to be done, when required by the Overseers or Supervisors of the respective districts. It will thus be seen that the matter once taken in hand, with the aid of the citizens, was pushed with becoming vigor. On July 15, 1852, directions for the laying out of the highway between Oakland and San Pablo were issued, while on the re-construction of the county on August 8, 1855, six road districts were established corresponding with the six townships then defined. Five years later, in 1860, we find that there were no less than seventeen road districts inside the county limits, and on May 21, 1861, the road tax for that year was increased to ten cents on the one hundred dollars of taxable property, in accordance with the provisions of an Act passed May 3, 1861, entitled "An Act to enable and require the Board of

Supervisors of the county of Contra Costa to complete the levy of taxes for road purposes in said county for the year one thousand eight hundred and sixty-one." November 4, 1862, it was ordered by the Board of Supervisors that the Auditor of the county cause to issue a warrant for the sum of twelve hundred dollars, payable out of the "Barber Fund," to be levied in accordance with an Act of the Legislature of the State of California, approved April 24, 1862, entitled "An Act to authorize the Board of Supervisors of the county of Contra Costa to audit and allow the claim of M. R. Barber, and to levy a Special Tax." It would appear that this action became necessary on account of a sum still remaining due to Mr. Barber for the construction of two bridges in the town of Martinez during the year 1853. At the time, he received a moiety of the amount due, when the "City Fathers" accepted the responsibility of further payments, but as the corporation had dissolved into a phantom the onus of liquidating the debt devolved upon the county, and had to be met by the Board of Supervisors, hence the appeal to the Legislature, the passage of the Bill above quoted and the levy of a Special Tax to meet the liability.

But we have not the space at our disposal to follow the hundreds of petitions for road purposes, as they appear in the records of the Court of Sessions and Board of Supervisors. To give even an outline of each would more than fill a volume of no ordinary proportions. As the fertile districts were settled, each new arrival felt the want of some avenue of outlet from his homestead, connection was needed with the main arteries of traffic, the inevitable petition to the authorities was transmitted to the proper quarter, and, where the necessity was proved, never was the prayer rejected. With the opening out of fresh highways, more districts were imperatively necessary; with the creation of these districts, it was as necessary to appoint overseers, and now Contra Costa county is blessed with a large number of districts and a net-work of roads, better than which there are none in California.

School Districts.—The first school districts in Contra Costa county were divided in consonance with the townships which then obtained, but such a partition embraced too large a territory, therefore alterations became necessary, like in the townships themselves. Boundaries and limitation lines were perpetually being altered at the solicitation of innumerable petitioners. The authorities, ever with an eye to the people's welfare, in most cases granted the prayer, until, after an infinity of rectifications, the present school districts of the county number thirty-nine, and are named: Alamo, Alhambra, Antioch, Bay Point, Brentwood, Briones, Carbondale, Central, Concord, Danville, Deer Valley, Eden Plain, Excelsior, Green Valley, Hot Spring, Iron House, Lafayette, Liberty, Lime Quarry, Lone Tree, Martinez, Moraga, Morgan Territory, Mount Diablo, Mount Pleasant, New York, Oak

John Davis,

Grove, Pacheco, Pinole, Pleasant Hill, Rodeo Valley, Sand Mound, San Pablo, San Ramon, Sheldon, Somersville, Sycamore, Tassajara, Willow Spring.

POLITICAL HISTORY.—We now come to the second branch of the Legislative History of Contra Costa, namely, that which has been termed the Political History of the county. This, it is to be feared, however, may be considered a misnomer, as in the rest of this chapter much will be found which in itself has no political significance, while a considerable amount may be recognized as purely political. All our information has been garnered from the particularly well kept records of the Court of Sessions and Boards of Supervisors, who, though exercising political functions, still have authority over affairs non-political; therefore the remarks made below may be said to relate more to the *government* of the county than to its *politics*.

MEXICAN GOVERNMENT.—Prior to the year 1839 not much is known of the political divisions of California; on February 26th of that year Governor Alvarado dubbed it a Department, and partitioned it into three districts. In the second of these was Contra Costa county. The government was vested in a Governor and a Departmental Assembly, from which was constituted the Legislative Assembly that held its sessions in Monterey, the then capital. In order of precedence, the political officers next to the Governor were the Prefects, having jurisdiction over districts; Sub-Prefects, Ayuntamientos or Town Councils, Alcaldes, and Justices of the Peace.

We are informed, on reliable authority, the Mexican law contemplated the formation of a Superior Tribunal for each Department, and that provision for the establishment of such a Court, with two lesser ones for California, had been made. The tribunal was to be composed of four Judges and one Attorney-General, the senior three of the former to sit upon the first, and the junior one on the second bench. This latter, known as the Court of Second Instance, heard appeals from the Court of First Instance and had original jurisdiction in certain cases. The senior courts sat at the capital of the Department, while that of the First Instance held its sessions at the chief town in a district, where it exercised a general jurisdiction and attended to cases involving more than one hundred dollars, those for a less sum being tried by the Alcalde and Justice of the Peace.

There is no record of a Superior Tribunal ever having been established in California under the Mexican government, and no Court of First Instance in San José, the chief town of the district to which the county now under consideration belonged, until 1849, when they were commissioned by the authority of the United States. The first Alcalde to be thus installed was that honored pioneer Hon. Elam Brown, N. B. Smith being the Sub-Prefect of the district.

The law was administered then in a peculiarly lax manner; fortunately, or unhappily, as the case may be, lawyers had not yet penetrated into the supposed wilds of the Pacific slope. The Alcalde's word was the supremest effort of legal wisdom; his silver-headed cane a badge of office which the most captious must respect, and could not gainsay, while, there being no prisons, it was usual to sentence the Indian to be flogged and others to be fined.

Military Government.—Between the years 1846 and 1849 the country remained under the control of the United States military. In regard to law it was utterly at sea. A military commander controlled affairs, but there was no government. As long as the war lasted it was only natural to expect that such would be the case, and the people were content, but after peace had been attained, and the succession of military governors remained unabated, a people who had been brought up to govern themselves under the same flag and the same constitution, chafed that a simple change of longitude should deprive them of their inalienable rights. With these views General Riley, who succeeded General Persefer F. Smith, April 13, 1849, entirely sympathized. When it was found that Congress had adjourned without effecting anything for California, he issued a proclamation, June 3d, which was at once a call for a convention, and an official exposition of the administration's theory of the anomalous relations of California and the Union. He strove to rectify the dominant impression that California was ruled by the military. That had ceased with the termination of hostilities, and what remained was the civil government, which was vested in a Governor appointed by the Supreme Government, or, in default of such appointment, the office was vested in the commanding military officer of the Department, a Secretary, a Departmental or Territorial Legislature, a Superior Court with four Judges, a Prefect and Sub-Prefect, and a Judge of the First Instance for each district, Alcaldes, Justices of the Peace, and Town Councils. General Riley, moreover, recommended the election, at the same time, of delegates to a Convention to adopt either a State or Territorial Constitution, which, if acquiesced in by the people, would be submitted to Congress. The proclamation stated the number of delegates which each district should elect, and also announced that appointments to the judiciary offices would be made after being voted for. The delegates from the district of which we then formed a portion to the Convention were Joseph Aram, Kimball H. Dimmick, J. D. Hoppe, Antonio M. Pico, Elam Brown, Julian Hanks, and Pedro Sainsevain.

Constitutional Convention.—On September 1, 1849, the Convention met at Monterey, Robert Semple, of Benicia, one of the delegates from the District of Sonoma, being chosen President. The session lasted six weeks, and, notwithstanding an awkward scarcity of books of reference and other

necessary aids, much labor was performed, while the debates exhibited a marked degree of ability. In framing the original Constitution of California, slavery was forever prohibited within the jurisdiction of the State; the boundary question between Mexico and the United States was set at rest; provision for the morals and education of the people was made; a Seal of State was adopted, with the motto EUREKA, and many other subjects discussed. The Constitution was duly framed, submitted to the people, and at the election held on the 13th November, ratified by them, and adopted by a vote of twelve thousand and sixty-four for, and eleven against it; there being, besides, over twelve hundred ballots that were treated as blanks, because of an informality in the printing. The vote of the District of San José on the occasion was five hundred and sixty-seven votes for, and none against its adoption, while five hundred and seventeen votes were cast for Peter H. Burnett, as Governor. In Contra Costa county on that occasion one hundred and seven votes were polled at the three precincts then established; Governor Burnett received seventy-four votes; Lieutenant-Governor John McDougal thirty-one, and F. J. Lippett sixty-four, while W. R. Bascom, of San José, was elected Senator, and Elam Brown, of Lafayette, Joseph Aram, Dr. Ben. Cory and J. H. Mathews were sent to the Lower House of the State Legislature, Edward Gilbert and George W. Wright being sent to Congress.

We here reproduce, as curiosities, two of the tickets which were voted at the time, and distributed in and around Sacramento and the upper portion of the State:

PEOPLE'S TICKET.

FOR THE CONSTITUTION.

FOR GOVERNOR.

John A. Sutter.

FOR LIEUTENANT-GOVERNOR,

John McDougal.

FOR REPRESENTATIVES IN CONGRESS,

William E. Shannon,
Pet. Halsted.

FOR STATE SENATORS,

John Bidwell, Upper Sacramento,
Murray Morrison, Sacramento City,
Harding Bigelow, Sacramento City,
Gilbert A. Grant, Vernon.

PEOPLE'S TICKET.

FOR THE CONSTITUTION.

FOR GOVERNOR,

Peter H. Burnett.

FOR LIEUTENANT-GOVERNOR,

John McDougal.

FOR REPRESENTATIVES IN CONGRESS,

Edward Gilbert,
George W. Wright.

FOR STATE SENATORS,

John Bidwell, Upper Sacramento,
Murray Morrison, Sacramento City,
Harding Bigelow, Sacramento City,
Gilbert A. Grant, Vernon.

FOR ASSEMBLY,	FOR ASSEMBLY,
H. C. Cardwell, Sacramento City,	H. C. Cardwell, Sacramento City,
P. B. Cornwall, Sacramento City,	P. B. Cornwall, Sacramento City,
John S. Fowler, Sacramento City,	John S. Fowler, Sacramento City,
J. Sherwood,	H. S. Lord, Upper Sacramento,
Elisha W. McKinstry,	Madison Waltham, Coloma,
Madison Waltham, Coloma,	W. B. Dickenson, Yuba,
W. B. Dickenson, Yuba,	James Queen, South Fork,
James Queen, South Fork,	Arba K. Berry, Weaverville.
W. L. Jenkin, Weaverville.	

The popular voice also made San José the capital; but let us here describe the interesting preliminaries attending this consummation.

San Jose made the State Capital.—During the session of the Convention the residents of San José, in public meeting assembled, elected a committee to proceed to Monterey, to there use their utmost endeavors with the members to have San José named in the Constitution the State Capital. They found a staunch opponent at once in the person of Dr. Robert Semple, the President, who coveted the honor for his then rising town of Benicia; he offering at the time that if the favorers of the San José scheme would agree to permit the first session to be held at the former place, he doubted not but the permanent location at the latter could be readily effected. This, however, did not suit the views of San José's plenipotentiaries, and, as if to bait the hook, they emphatically promised to be ready with a suitable building by the 15th December, about the time when the Legislature would sit—a rash promise enough, when is taken into consideration the fact that such an edifice had not then been completed in the town. Let us see how the pledge was redeemed. At that time there stood on the east side of Market Square, San José, a large adobe structure, erected in the year 1849 by Sainsevain and Rochon, which was meant by them for a hotel. This edifice, as the most suitable the town could offer for a State House, the Ayuntamiento or Town Council purposed to rent for the legislature, but the price asked was so exorbitant, four thousand dollars per month, that it was deemed best to purchase the building outright, but here the proprietors declared themselves unwilling to take the pueblo authorities as security, who were consequently placed in the two-fold dilemma of being without the requisite funds to effect the purchase, and no credit to rent it. Happily, those citizens, in whose coffers lay most of the wealth, rather than see the pristine glories attendant on the presence of the Legislature in San José glide from them, with marvelous generosity, came forward to save the honor of the delegates to the Convention, as well as the credit of the Town Council, and nineteen of them executed a note for the price asked, thirty-four thousand dollars,

with interest at the rate of eight per cent. per month from date until paid. A conveyance was made to three of their number, who held the premises in trust for the purchasers, to be ultimately conveyed to the Town Council when it could pay for them. An appropriation of fifty thousand dollars, purchase money for the building was made by the Legislature, and bonds bearing interest at the rate of two and one-half per cent. per month for that amount were issued; but the credit of the new State, unfortunately, was below par; actual cash in hand was the slogan of the vendors. The bonds were sacrificed at the rate of forty cents on the dollar, and the amount received thereby used in partial liquidation of the debt, the indebtedness remaining being, subsequently, the cause of vexatious and protracted litigation.

On Saturday, December 15, 1849, the first State Legislature of California met at San José, E. Kirby Chamberlin being elected President *pro tem* of the Senate, and Thomas J. White Speaker of the Assembly. On the opening day there were only six Senators present; the following day Governor Riley and his Secretary, H. W. Halleck, arrived, and on Monday nearly all members were in their places.

MEMBERS OF FIRST CALIFORNIA LEGISLATURE.—We will now introduce to our readers a number of those of California's first Legislators—an interesting record of by-gone times:—

SENATORS:

David F. Douglass—Born in Sumner county, Tennessee, the 8th of January, 1821. Went to Arkansas with Fulton in 1836. On the 17th of March, 1839, had a fight with Dr. Wm. Howell, in which Howell was killed; imprisoned fourteen months; returned home in 1842; emigrated to Mississippi; engaged in the Choctaw speculation; moved with the Choctaws west as a clerk; left there for Texas in the Winter of 1845–6. War broke out; joined Hayes' regiment; from Mexico immigrated to California, and arrived here as a wagoner in December, 1848.

M. G. Vallejo—Born in Monterey, Upper California, July 7, 1807. On the 1st of January, 1825, he commenced his military career in the capacity of cadet. He served successively in the capacity of Lieutenant, Captain of cavalry, Lieutenant-Colonel, and General Commandant of Upper California. In 1835 he went to Sonoma county and founded the town of Sonoma, giving land for the same. He was a member of the Convention in 1849 and Senator in 1850.

Elcan Haydenfeldt—Born in Charleston, South Carolina, September 15, 1821; immigrated to Alabama in 1841; from thence to Louisiana in 1844; to California in 1849. Lawyer by profession.

Pablo de la Guerra—Born in Santa Barbara, Upper California, November 19, 1819. At the age of nineteen he entered the public service. He was appointed Administrator-General *"de la rentas,"* which position he held

when California was taken by the American forces. From that time he lived a private life until he was named a member of the Convention which framed the Constitution of the State. Represents the district of Santa Barbara and San Luis Obispo in the Senate.

S. E. Woodworth—Born in the city of New York November 15, 1815. Commenced career as a sailor A. D. 1832. Sailed from New York March 9, 1834. Entered the navy of the United States June 14, 1838. Immigrated to California, *via* Rocky Mountains and Oregon, April 1, 1846. Resignation accepted by Navy Department October 29, 1849. Elected to represent the district of Monterey in the first Senate of the first Legislature of California, for the term of two years.

Thomas L. Vermeule—Born in New Jersey on the 11th of June, 1814. Immigrated to California November 12, 1846. Did represent San Joaquin district in the Senate. Resigned.

W. D. Fair—Senator from the San Joaquin District, California. Native of Virginia. Immigrated to California from Mississippi in February, 1849, as "President of the Mississippi Rangers." Settled in Stockton, San Joaquin district, as an attorney-at-law.

Elisha O. Crosby—Senator from Sacramento district. Native of New York State. Immigrated from New York December 25, 1848. Aged thirty-four years.

D. C. Broderick—Senator from San Francisco. Born in Washington city, D. C., February 4, 1818. Emigrated from Washington to New York city March, 1824. Left New York for California April 17, 1849.

E. Kirby Chamberlin, M. D., President *pro tem* of the Senate from the district of San Diego. Born in Litchfield county, Connecticut, April 24, 1805. Emigrated from Connecticut to Onondago county, New York, in 1815; thence to Beaver, Pennsylvania, in 1829; thence to Cincinnati, Ohio, in 1842; served as surgeon in the United States army during the war with Mexico; appointed surgeon to the Boundary Line Commission, February 10, 1846; embarked from Cincinnati, Ohio, February 15th; arrived in San Diego June 1, 1849, and in San José December 12, 1849.

J. Bidwell—Born in Chautauqua county, New York, 5th of August, 1819. Immigrated to Pennsylvania; thence to Ohio; thence to Missouri; thence, in 1841, to California. Term in Senate one year.

H. C. Robinson—Senator from Sacramento; elected November 15, 1849. Born in the State of Connecticut. Immigrated at an early age to Louisiana. Educated as a lawyer, but engaged in commercial pursuits. Arrived at San Francisco, February, 1849, per steamer *California*, the first that ever entered said port.

Benjamin S. Lippencott—Senator from San Joaquin. Born in New York. Emigrated February, 1846, from New Jersey. By pursuit a merchant. Elected for two years.

ASSEMBLYMEN:

Elam Brown—Born in the State of New York in 1797. Immigrated from Massachusetts in 1805; to Illinois in 1818; to Missouri, 1837, and Platte county, in Missouri, 1846, to California.

J. S. K. Ogier—Born in Charleston, South Carolina. Immigrated to New Orleans, 1845, and from there to California December 18, 1848.

E. B. Bateman, M. D.—Immigrated from Missouri, April, 1847. Residence, Stockton, Alta California.

Edmund Randolph—Born in Richmond, Virginia. Immigrated to New Orleans, 1843; thence to California, 1849. Residence, San Francisco.

E. P. Baldwin—Born in Alabama. Immigrated from thence in January, 1849. Arrived in California May 1, 1850. Represents San Joaquin district. Resides in Sonora, Tuolumne county.

A. P. Crittenden—Born in Lexington, Kentucky. Educated in Ohio, Alabama, New York and Pennsylvania. Settled in Texas in 1839. Came to California in 1849. Represents the County of Los Angeles.

Alfred Wheeler—Born in the City of New York the 30th day of April, 1820. Resided in New York City until the 21st of May, 1849, when he left for California. Citizen and resident of San Francisco, which district he represents.

James A. Gray—Philadelphia. Monterey, California. Immigrated in 1846, in the First New York Regiment of Volunteers.

Joseph Aram—Native of the State of New York. Immigrated to California, 1846. Present residence, San José, Santa Clara county.

Joseph C. Morehead—Born in Kentucky. Immigrated to California in 1846. Resides at present in the county of Calaveras, San Joaquin district.

Benjamin Cory, M. D.—Born November 12, 1822. Immigrated to the Golden State in 1847. Residence in the valley of San José.

Thomas J. Henley—Born in Indiana. Family now resides in Charlestown, in that State. Immigrated to California in 1849, through the South Pass. Residence at Sacramento.

José M. Covarrubias—Native of France. Came to California in 1834 Residence in Santa Barbara, and representative for that district.

Elisha W. McKinstry—Born in Detroit, Michigan. Immigrated to California in March, 1849. Residence in Sacramento district, city of Sutter.

George B. Tingley—Born August 15, 1815, Clermont county, Ohio. Immigrated to Rushville, Indiana, November, 4, 1834. Started to California April 4, 1849. Reached there October 16th. Was elected to the Assembly, November 13th, from Sacramento district, and is now in Pueblo de San José.

John S. Bradford represented the district of Sonoma.

At the start considerable dissatisfaction was felt in respect to the accommodation offered by the State House, and only four days after its first

occupation, George B. Tingley, a member from Sacramento, introduced a bill to remove the Legislature to Monterey. It only passed its first reading and was then consigned to the purgatory of further action.

GOVERNOR BURNETT ASSUMES OFFICE.—Governor Riley resigned his gubernatorial functions to Governor Peter H. Burnett on the 20th of December, 1849; on the same date Secretary Halleck was relieved of his duties, and at noon of the day following the new Governor delivered his first message. On this day also Colonel J. C. Fremont received a majority of six votes, and Dr. William M. Gwin a majority of two, for the United States Senate.

STATE CAPITAL REMOVED.—And now a monster enemy to the interests of San José appeared in the field.

In the year 1850 General-Senator Mariano Guadalupe Vallejo became convinced that the capital of California should be established at a place which he desired to name Eureka, but which his colleagues in the Legislature, out of compliment to himself, suggested should be named Vallejo. To this end the General addressed a memorial to the Senate, dated April 3, 1850, wherein he graphically pointed out the advantages possessed by the proposed site over other places which claimed the honor. In this remarkable document, remarkable alike for its generosity of purpose as for its marvelous foresight, he proposed to grant twenty acres to the State, free of cost, for a State Capitol and grounds, and one hundred and thirty-six acres more for other State buildings, to be apportioned in the following manner: Ten acres for the Governor's house and grounds; five acres for the offices of Treasurer, Comptroller, Secretary of State, Surveyor-General, and Attorney-General, should the Commissioners determine that their offices should not be in the Capitol building; one acre to State Library and Translator's office, should it be determined to separate them from the State-house building; twenty acres for an Orphan Asylum; ten acres for a Male Charity Hospital; ten acres for a Female Charity Hospital; four acres for an Asylum for the Blind; four acres for a Deaf and Dumb Asylum; eight acres for four common schools; twenty acres for a State University; four acres for a State Botanical Garden; and twenty acres for a State Penitentiary.

But with a munificence casting this already long list of grants into the shade, he further proposed to donate and pay over to the State, within two years after the acceptance of these propositions the gigantic sum of $370,000, to be apportioned in the following manner: For the building of a State Capitol, $125,000; for furnishing the same, $10,000; for building of the Governor's house, $10,000; for furnishing the same, $5,000; for the building of State Library and Translator's Office, $5,000; for a State Library, $5,000; for the building of the offices of the Secretary of State, Comptroller, Attorney-General, Surveyor-General, and Treasurer, should the Commissioners

deem it proper to separate them from the State-house, $20,000; for the building of an Orphan Asylum, $20,000; for the building of a Female Charity Hospital, $20,000; for the building of a Male Charity Hospital, $20,000; for the building of an Asylum for the Blind, $20,000; for the building of a Deaf and Dumb Asylum, $20,000; for the building of a State University, $20,000; for University Library, $5,000; for scientific apparatus therefor, $5,000; for chemical laboratory therefor, $3,000; for a mineral cabinet therefor, $3,000; for the building of four common school edifices, $10,000; for purchasing books for same, $1,000; for the building of a Lunatic Asylum, $20,000; for a State Penitentiary, $20,000; for a State Botanical Collection, $3,000.

In his memorial the General states with much perspicacity his reasons for claiming the proud position for the place suggested as the proper site for the State Capital. Mark the singleness of purpose with which he bases these claims:

"Your memorialist, with this simple proposition (namely, that in the event of the Government declining to accept his terms, it should be put to the popular vote at the general election held in November of that year, 1850), might stop here, did he not believe that his duty as a citizen of California required him to say thus much in addition—that he believes the location indicated is the most suitable for a permanent seat of government for the great State of California, for the following reasons: That it is the true center of the State, the true center of commerce, the true center of population, and the true center of travel; that while the Bay of San Francisco is acknowledged to be the first on the earth, in point of extent and navigable capacities, already, throughout the length and breadth of the wide world, it is acknowledged to be the very center between Asiatic and European commerce. The largest ship that sails upon the broad sea can, within three hours, anchor at the wharves of the place which your memorialist proposes as your permanent seat of government. From this point, by steam navigation, there is a greater aggregate of mineral wealth within eight hours' steaming, than exists in the Union; besides, from this point the great north and south rivers—San Joaquin and Sacramento—cut the State longitudinally through the center, fringing the immense gold deposits on the one hand, and untold mercury and other mineral resources on the other; from this point steam navigation extends along the Pacific Coast south to San Diego, and north to the Oregon line, affording the quickest possible facilities for our sea-coast population to reach the State Capital in the fewest number of hours. This age, as it has been truly remarked, has merged distance into time. In the operations of commerce and the intercourse of mankind, to measure miles by the rod is a piece of vandalism of a by-gone age; and that point which can be approached from all parts of the

State in the fewest number of hours, and at the cheapest cost, is the truest center.

"The location which your memorialist proposes as the permanent seat of government is certainly that point.

"Your memorialist most respectfully submits to your honorable body whether there is not a ground of even still higher nationality? It is this: that at present, throughout the wide extent of our sister Atlantic States, but one sentiment seems to possess the entire people, and that is, to build, in the shortest possible time, a railroad from the Mississippi to the Bay of San Francisco, where its western terminus may meet a three weeks' steamer from China. Indeed, such is the overwhelming sentiment of the American people upon this subject, that there is but little doubt to apprehend its early completion. Shall it be said, then, while the world is coveting our possession of what all acknowledge to be the half-way house of the earth's commerce—the great Bay of San Francisco—that the people of the rich possessions are so unmindful of its value as not to ornament her magnificent shores with a Capital worthy of a great State?"

Upon receipt of General Vallejo's memorial by the Senate, a committee, composed of members who possessed a local knowledge of the country comprised in the above-quoted document, both geographical and topographical, was directed to report, for the information of the President, upon the advantages claimed for the location of the Capital at the spot suggested, in preference to others. The report, in which the following words occur, was presented to the Senate on April 2, 1850: "Your committee cannot dwell with too much warmth upon the magnificent propositions contained in the memorial of General Vallejo. They breathe throughout the spirit of an enlarged mind, and a sincere public benefactor, for which he deserves the thanks of his countrymen and the admiration of the world. Such a proposition looks more like the legacy of a mighty Emperor to his people than the free donation of a private planter to a great State, yet poor in public finance, but soon to be among the first of the earth."

The report, which was presented by Senator D. C. Broderick, of San Francisco, goes on to point out the necessities which should govern the choice of a site for California's Capital; recapitulates the advantages pointed out in the memorial; and, finally, recommends the acceptance of General Vallejo's offer. This acceptance did not pass the Senate without some opposition and considerable delay; however, on Tuesday, February 4, 1851, a message was received from Governor Burnett, by his private secretary, Mr. Ohr, informing the Senate that he did this day sign an Act originating in the Senate, entitled "An Act to provide for the permanent location of the seat of Government." In the meantime General Vallejo's bond had been accepted; his solvency was approved by a committee

J. P. Abbott

appointed by the Senate to inquire into that circumstance; the report of the commissioners sent to mark and lay out the tracts of land proposed to be donated was adopted; and, on May 1, 1851, the last session of the Legislature in San José was completed; but the archives were not moved to the new seat of government at Vallejo at that time, the want of which was the cause of much dissatisfaction among the members.

The Legislature first met at Vallejo on January 5, 1852, but there was wanting that attraction of society which would appear to be necessary to the seat of every central government. With these Sacramento abounded, from her proximity to the mines. The Assembly, therefore, with a unanimity bordering on the marvelous, passed a bill to remove the session to that city, ball tickets and theater tickets being tendered to the members in reckless profusion. The bill was transferred to the Senate, and bitterly fought by the Hons. Paul K. Hubbs and Phil. A. Roach. The removal was rejected by *one* vote. This was on a Saturday, but never was the proverb of "we know not what the morrow may bring forth" more fully brought to bear on any consideration. Senator Anderson, it is said, passed a sleepless night through the presence of unpleasant insects in his couch; on the Monday morning he moved a reconsideration of the bill. The alarm was sounded on every hand, and at 2 P. M. on January 12, 1852, the Government and Legislature were finding its way to Sacramento by way of the Carquinez Straits. On March 7, 1852, a devastating flood overwhelmed Sacramento, and where they had before feared contamination, they now feared drowning. The Legislature adjourned at Sacramento May 4, 1852, the next session to be held at Vallejo. On January 3, 1853, the peripatetic government met again at Vallejo, whither had been moved in May the archives and State offices. Once more the spirit of jealousy was rampant. Sacramento could not with any grace ask for its removal thither again, but she, working with Benicia, the Capital was once more on wheels, and literally carted off to the latter town for the remaining portion of the session, where it remained until a bill was passed to fix the capital of the State at Sacramento, and thereafter clinched by large appropriations for building the present magnificent capitol there.

The capital being removed from San José, the Town Council sold the State-house for thirty-eight thousand dollars, which sum it was intended should be applied to the liquidation of the note mentioned above. The money, it would appear, was not so applied, therefore legal proceedings were instituted by the gentlemen holding the premises in trust for the purchasers, or their representatives, against the city, to obtain the foreclosure of a mortgage executed to them by the civic authorities in 1850 to secure the purchase of the property. A decree of foreclosure was obtained, the pueblo lands brought to the hammer, and bought in by the trustees of the plaintiffs, who had organized themselves into a land company, and claimed title

to *all* the pueblo lands, a claim which was resisted to the bitter end by the pueblo authorities.

The question of the legality of the removal was brought up in 1854 before the Supreme Court, when a majority of the Justices, Heydenfeldt and Wells, held that according to law San José was the capital of the State, who thereupon made the following order, March 27th:

"It is ordered that the Sheriff of Santa Clara county procure in the town of San José, and properly arrange and furnish a Court-room, clerk's office, and consultation room, for the use of the Court. It is further ordered that the clerk of this Court forthwith remove the records of the Court to the town of San José. It is further ordered that the Court will meet to deliver opinions at San José on the first Monday in April, and on that day will appoint some future day of the term for the argument of cases.

"HEYDENFELDT, J.

"Attest: D. K. WOODSIDE, *Clerk.*" "WELLS, J.

A writ of mandamus on the strength of the above was issued from the Third District Court against all the State officers, commanding that they should remove their offices to San José, or show cause why they should not do so. The argument was heard and the theory maintained that San José was the proper capital of the State, whereupon an appeal was carried to the Supreme Court. In the *interim* Justice Wells had died, his place being filled by Justice Bryant. On the appeal the Supreme Court decided that San José was *not* the State capital, from which decision Justice Heydenfeldt dissented.

RECORDS OF COURT OF SESSIONS, AND BOARD OF SUPERVISORS.—The first record we have been able to find of the transactions of the Court of Sessions was the partitioning of the county on April 17, 1850, into the three townships of New York, Martinez and San Antonio. On April 20th an election was ordered to be held for two Justices of the Peace and one Constable for each township, the inspectors appointed being J. Woodbury at the precinct of New York; Wesley Bradley at Martinez; and J. S. Ridgely at San Antonio, those elected being desired to attend at the office of the County Clerk on the Monday after the election, to enter into bonds and take oath of office. On April 30th, an election was ordered to be held for the office of County Judge of Solano county, the position being rendered vacant by the failure of James Craig to qualify for the office, a move undertaken by Judge F. M. Warmcastle of Contra Costa, in accordance with law. May 13th the Court of Sessions convened by order of the County Judge at the Court-house in Martinez, when there were present F. M. Warmcastle, Judge; Absolom Peak and Edward G. Guest, Associate Justices; Thomas A. Brown, County Clerk; and Nathaniel Jones, Sheriff. It was then ordered that there be assessed and collected for ordinary county

expenditure of the real and personal property taxable by law the amount of twenty-five cents on each one hundred dollars; and that in the same manner a like sum should be levied for the purpose of constructing public buildings for the use of the county, the County Clerk being directed to procure for present use a suitable building wherein to locate the Court-house and Clerk's office, to fit up the same, supply it with the necessary blank books and stationery, and otherwise render it fit for official occupation. A State Poll Tax of two dollars and fifty cents was also made collectable from those whom the law required to pay it. On the 3d of June the County Clerk was ordered to receive sealed proposals for the erection of a jail; while, on July 20th, certain accounts for labor performed on the temporary county buildings were allowed. A sum not to exceed fifty dollars was also granted to procure an official seal. August 19th the following licenses were made levyable:—

To vend goods, wares and merchandise, with a capital of $5,000 or less.....$20.00 per annum.

To vend spirituous, vinous, malt and fermented liquors in less quantities than one pint.....$50.00 per annum.

While on this date application was made by and license granted to Oliver C. Coffin to establish a ferry between the towns of Martinez and Benicia on his filing a bond in the amount of two thousand dollars. The fares to be charged were limited by the Court to:—

For each foot man.....	$1 00
" man and horse.....	2 50
" single horse, mule or ox.....	2 00
" wagon.....	5 00
" carriage.....	4 00
" each head of sheep or hogs, etc.....	50

August 26th the following Inspectors were selected for the election ordered for October 7th, viz: Antonio Peralta for San Antonio township; John Marsh for New York township, and Wesley Bradley and Joseph Rothenhostler for Martinez township, the latter at the precinct established at the house of José Maria Amador.

1851.—Under date January 25th of this year a petition from the citizens of Martinez that the town should be incorporated was granted, the limits being a mile square, and an election was ordered to be held for Town Trustees on February 8th, B. R. Holliday, Charles Pervine and J. C. Burrows being appointed Judges. This matter will be found more fully entered into, however, in the history of that township and town. On August 4th we find the Court granting a license to H. W. Carpentier and A. Moon to run a ferry "from Contra Costa, in the township of San Antonio, to the city of San Francisco," and fixing the tariff as follows:

For one person	$1 00
" one horse	3 00
" one wagon	3 00
" one two-horse wagon	5 00
" meat cattle, per head	3 00
" each hundred-weight	50
" each sheep	1 00
" each hog	1 00

It was ordered by the Court, September 6th, that the Surveyor-General of the State be requested, within that month, to mark out so much of the boundary line dividing the counties of Contra Costa and San Joaquin, so as to define said boundary between the San Joaquin river and the high hills in the direction of the head waters of the Alameda creek, in the Coast Range of mountains. On December 1st the Court appointed José Martinez, Robert Livermore, J. S. Bauer and Robert Birnie "Judges of the Plains," (*Juez de Campo*). The duties of these officials were to arbitrate between owners in all disputes that might arise as to cattle-property, and overhaul and inspect all brands of stock being driven from or through the county. Their emoluments consisted in "perquisites," of which there were occasionally a great many.

1852.—The first item of importance which the records of this year divulge is the order of the Court of Sessions, on May 11th, that one-half of the revenue collected for county purposes, which was fixed for the year at fifty cents on the one hundred dollars, should be set apart as a Public Building Fund, while, on the same day, a call for proposals to build a Court-house, in Court-house Square, Martinez, was made, but was afterwards rescinded on August 10th, by the Board of Supervisors.

Under the provisions of the Act of the Legislature, passed May 3, 1852, a Board of Supervisors was created for Contra Costa county, and in pursuance thereof an election was held June 14, 1852, when the following five gentlemen were elected, viz: William Patten, Samuel H. Robinson, Victor Castro, Robert Farrelly and T. J. Keefer, the first-named being chosen Chairman of the Board by his associates. On July 5th, committees were duly appointed and other matters arranged for the full organization of the Board of Supervisors, who at once assumed the reins of civil government. Among their earliest orders was the laying out of a road between Oakland and San Pablo. On July 23d, Supervisor Robinson made his report on assessments within the county. As a matter of curiosity we now produce some of these, for the purpose of showing the amount of land then held by some individuals and assessed at over five thousand dollars:

	Acres.	Rate per acre.	Assessments.
Juan B. Alvarado	2,214	$10 00	$ 22,140
G. Anghinbaugh	905	9 00	8,145
W. W. Chipman	905	9 00	8,145

	Acres.	Rate per acre.	Assessments.
W. Castro	27,568	$3 00	$82,704
Barbara Castro	6,642	6 00	43,173
Gabriel Castro	2,214	8 00	17,712
Juan José Castro	2,214	7 00	15,498
Joaquin Castro	2,214	8 00	17,712
Jesus Maria Castro	1,107	6 00	6,642
Estudillo Heirs	4,428	7 00	30,996
J. F. Hubbard	905	9 00	8,145
José Martinez	4,028	3 00	12,084
Leo Norris	10,284	5 00	51,420
Salvio Pacheco	17,712	8 00	141,696
G. Romero	6,642	5 00	33,210
Ygnacio Sibrian	8,856	5 00	44,280
Wm. M. Smith	6,118	2 50	15,295
José Jesus Vallejo	19,926	5 00	99,630
Joseph Emeric	1,107	6 00	6,642
Antonio Castro	2,214	8 00	17,712
John Marsh	17,712	1 00	17,712
Domingo Peralta	4,428	20 00	88,560
Rancho San Ramon	4,428	5 00	22,140
Blas Sibrian	13,284	1 25	16,605
Vicente Peralta	4,428	20 00	88,560
Ygnacio Peralta	6,642	20 00	132,840
Antonio Maria Peralta	5,535	20 00	110,700
Heirs of Welch	13,000	5 00	65,000
Encinal of Temescal	2,600	40 00	104,000

The above are, by no manner of means, the only ones assessed in what was then Contra Costa county, which extended from the San Joaquin to the boundary of Santa Clara. A glance at the figures will give the reader, however, an idea of what vast tracts of land were held by the native Californians in the early years of American occupation. No county, it would appear, can revel in a freedom from debt; even the newly defined Contra Costa, with an existence of but a little over two years, had, on July 1, 1852, a liability of one thousand three hundred and thirty-six dollars, thirty-two cents. Under date August 12th, we find the following minute: "The Board having had the matter of the supplemental assessment made and returned by the County Assessor under consideration, and being sufficiently advised thereon do find that there are forty-four thousand two hundred and eighty acres of land believed to be covered by title and lying unclaimed between the land claimed by the heirs of Francisco Castro, the Peraltas, and some claimed by the heirs of Estudillo, and that the same is worth five dollars per acre, amounting to two hundred and twenty-one thousand, four hundred dollars, do order that the same be assessed to persons unknown." The

last note in the records for this year, is that of December 28th, when the salary of the District Attorney was fixed at two thousand dollars *per annum.*

1853.—While the Legislature was sitting in Benicia in this year a petition was presented by H. C. Smith from the citizens of Santa Clara and Contra Costa counties, praying that a new county be formed out of portions of each, to be called Alameda. Then, as now, the county seats were San José and Martinez, the dividing line between Santa Clara and Contra Costa being the Alameda creek. The inhabitants living near the present city of Oakland felt the distance from Martinez, some thirty miles, to be too great for the comfortable transaction of business, while they were separated from it by a chain of mountains, which increased the difficulty of travel; therefore the western and southern half of Contra Costa, with Washington township in Santa Clara, was formed into one county and named Alameda, by which Contra Costa lost most of its coast line—yet still retaining its misnomer of "opposite coast"—and several centers of trade, now growing up on the opposite shore of San Francisco Bay. On June 8th the Court of Sessions, who were once more in power, appointed J. F. Williams and Thos. A. Brown, the District Attorney and County Clerk, on the part of Contra Costa county, to meet the delegates from Alameda county, to settle questions on the partition mentioned above, a duty that was for the time-being successfully performed; while, on September 13th, the salary of the District Attorney was reduced to one thousand dollars per year.

1854.—In accordance with plans submitted by L. R. Townsend, architect, the proposal of H. J. Childers and C. Chipman to build a Court-house for twenty-seven thousand dollars was accepted, the site chosen being on the hill fronting the bay—Lot Number Four, Block Two, in the town of Martinez.

November 10th the Court of Sessions directed that the ferry-boat plying between Martinez and Benicia should make half-hourly trips in the morning between 8 and 11:30 A. M., and in the afternoon between 1 and 5:30 P. M. The last item in this year is one on which the true chronicler refuses to dwell; enough may be gleaned from the bare statement that on December 4, 1854, the records state that John M. Jones, County Assessor, was removed on account of malfeasance in office, after a protracted trial before the Court of Sessions.

1855.—By the provisions of an Act to create a Board of Supervisors for the counties of the State of California and to define their duties, passed March 20, 1855, the County Clerk, County Assessor and County Surveyor of Contra Costa divided the county into three districts, on April 30, 1855, while, in pursuance of said Act, Thomas A. Brown, County Clerk, called an election to be held throughout the county for the purpose of

choosing one Supervisor for each district. The election was held April 12, 1855, and resulted in John H. Livingston being elected Supervisor of District Number One, composed of Townships Numbers One and Five; L. E. Morgan, Supervisor of District Number Two, composed of Township Number Three; and W. R. Bishop, Supervisor of District Number Three, composed of Townships Numbers Two, Four and Six. It has been mentioned that our county had not escaped the incubus of debt; indeed, as the years flew by these were considerably augmented, notably by a judgment in the Gilman case, a history of which will be found hereafter, until it became necessary to raise money by the issue of county bonds. In this regard, on May 26th, Supervisor Morgan was empowered by the Board to raise a loan of such sum of money as should be sufficient to pay the interest due on such bonds in the following July, he being at the same time authorized to contract with such persons in San Francisco as would establish an agency for the payment of the coupons in the city of New York. The Board further ordered that the money thus raised should be repaid out of the first funds coming into the County Treasury from the Interest Fund of thirty cents on each one hundred dollars of taxable property, or the General Fund. On June 1st Mr. Morgan made his report, which was duly accepted, as was also an agreement entered into with Palmer, Cook & Co., of San Francisco, whereby they covenanted, on the receipt of the sum of two thousand dollars, to pay the interest on the funded debt of Contra Costa county, due and payable in the city of New York on July 1, 1855, they receiving remuneration therefor at the rate of two per cent. upon the amount of money paid by them. June 27th the following were fixed as the rates of fees to be allowed to attorneys appointed by the Court to defend criminals, or persons accused of crime:

For defending in a case of Felony, punishable with death.....$50.00.
For defending in a case of Felony, not punishable with death.. 25.00.
For defending in a case, charged with misdemeanor..... 15.00.

Provided that but one attorney shall be allowed fees against the county for defending the same case.

1856.—It is not until the month of November in this year that we have been able to find aught of common interest in the records. The total vote of the county at the general election was found to be nine hundred and forty-six. On the 17th of November it is minuted that owing to the destruction of the Union Hotel, in Martinez, of which the County Treasurer was proprietor, the records of his office, that he kept there, were destroyed, regarding which we find the following: "And now comes Robert E. Borden, County Treasurer, and reports to this Board, and on his affidavit states, that the books, papers and monies of the office have been destroyed by fire, and it appearing that about one thousand dollars were saved, and about one thousand nine hundred dollars were lost, belonging to the different

funds as set forth in his statement, and from said statement it appears that the said loss was, so far as the Treasurer was concerned, unavoidable. This Board are of opinion, however, that he, the Treasurer, cannot be relieved to the extent prayed for, except by Legislative action. The Board (Thomas A. Brown being one of the sureties on said Treasurer's bond refusing to act in the matter) do recommend and petition that the Legislature do grant to the said Robert E. Borden, County Treasurer, aforesaid, the relief prayed for."

1857.—Save the elections and appointments which will be found embodied in the elaborate table at the end of this chapter, nothing of much moment would appear to have occurred during this year.

1858.—Neither have we anything to record of this year, that has not been elsewhere said.

1859.—Placing our subject under a system of sub-heads, and thus condensing one subject, deprives us of having anything to say here about the transactions of the Board of Supervisors for this year.

1860.—The machinery of the county having been now in full operation for a decade of years let us for a moment glance at the state of her finances at the beginning of the year 1860. The County Treasurer in his report to the Board of Supervisors on the 6th February of that year presented the accompanying Table, which will, more clearly than words, elucidate the financial condition of Contra Costa:—

	State Fund.	County Gen Fund.	Sinking Fund.	Conting't Fund.	Road Fund.	School Fund.	Estray Fund.
Balance at last settlement	$2,161 25	$1,364 28	$6,240 55	$6 75	$504 01	$1,559 95	$97 50
Since received	8,207 49	4,058 30	3,447 70	800 00	344 75	1,873 03	10 00
Aggregate	10,368 74	5,422 58	9,688 25	806 75	848 76	3,432 98	107 50
Disbursements	10,353 74	4,917 76	9,620 23	292 22	344 18	67 50	80 00
Balance on hand	$15 00	$504 82	$68 02	$514 53	$504 58	$3,365 48	$27 50

Making a sum total of four thousand nine hundred and ninety-nine dollars, ninety-three cents.

The account of the Funded Commissioners presented at the same time was:—

	Dr.	Cr.
January 1, 1860—Amount of Sinking Fund.....	$9,112 74	$
Contingent Expenses.....		82 00
Amount of Awards ordered to be paid redeeming indebtedness.....	9,112 74	8,782 22
Balance on hand.....	248 02	8,864 72
Amount of salary of Commissioners....	120 00	
Amount of balance.....	128 02	

On August 6, 1860, it was ordered by the Board of Supervisors that a special tax of one per cent. be added to the tax already levied for the current year, to be set aside as a Special Fund for the satisfaction of the judgment heretofore obtained *in re* Gilman *versus* Contra Costa county, in accordance with the award of a Bill passed by the Legislature, approved March 14, 1860, entitled "An Act for the payment of a judgment in favor of T. C. Gilman against the County of Contra Costa." At the general election, held November 6th, a majority of five hundred and ninety-six voted against the holding of a Constitutional Convention; while a majority of three hundred and one voters desired that the State Debt should be repudiated, viz:—

For Constitutional Convention	328
Against Constitutional Convention	924
Pay the Debt	351
Repudiate the Debt	652

1861.—On the 5th February of this year it is recorded that Judge Thomas A. Brown released the county from the payment to him of six thousand dollars, being back salary for four years' services as County Judge, ending on the first Monday of December, 1861.

It should be mentioned that the salary provided by law for the office of County Judge of Contra Costa county was two thousand five hundred dollars *per annum*, but Judge Brown declared his intention to reduce it to one thousand dollars a year, which sum he drew, and at the end of the term freed the county from the responsibility of paying him the accrued six thousand dollars—an unusual piece of magnanimity on the part of a public official, and one which could only have emanated from the mind of a high-souled public servant.

Consequent on the death of the County Treasurer, the following resolutions were passed by the Board of Supervisors at their session on March 2, 1861:—

"*Resolved*, That it is with deep regret that we have been called to act as a Board in the appointment of a person to succeed our much-lamented friend Hiram Fogg, late Treasurer of this county, and that we hereby express our united and unqualified approval of his conduct as an officer in the discharge of his duties, and as a man in the varied relations of life, and we hereby express our earnest sympathy with his bereaved family.

Resolved, That a copy of this resolution be furnished his family and be published in the *Contra Costa Gazette*."

On the 6th of May of this year the indebtedness of the county was:

Bonds outstanding May 1, 1861	$60,400 00
Interest on coupons due on same	24,161 59
Warrants and jury scrips, and interest on same	4,245 75
Amount of Gilman judgment unpaid	13,705 29
Total	$102,512 63

In the proceedings of the Board on November 5th, we find the following minute: "The petition of 'Cranky Jim' for repair of the bridge in the town of Martinez, ordered to be rejected—his remedy is to apply to the Road Overseer of road district."

1862.—In regard to the indebtedness of Alameda county to Contra Costa, B. C. Whitman and Charles Fish were appointed by the Legislative Commissioners under the provisions of an Act passed April 26, 1862, to ascertain and award the amount of indebtedness, if any be found equitably due. This report was presented in the form of a communication addressed jointly to the Supervisoral Boards of the two counties interested, and contains the following decision: "They (the Commissioners) find that the county of Contra Costa has paid on account of obligations existing at the time of the organization of the county of Alameda the sum of thirty-six thousand seven hundred and fifty-five dollars, fifteen cents. That the said county of Alameda was justly and equitably bound for a portion thereof, amounting to fifteen thousand five hundred and eighteen dollars, seventy-eight cents. That under and by virtue of an award heretofore made on June 4, 1858, said county of Alameda has paid to the county of Contra Costa the sum of three thousand nine hundred and forty-five dollars, sixty-six cents, leaving unpaid a balance of eleven thousand five hundred and seventy-four dollars, twelve cents, equitably due from the county of Alameda to the county of Contra Costa, arising out of obligations existing against the county of Contra Costa at the time of the organization of the said county of Alameda. Therefore we do hereby award said sum of eleven thousand five hundred and seventy-four dollars, twelve cents, as equitably due under and by virtue of the provisions of the Act aforesaid from the county of Alameda to the county of Contra Costa, and by virtue of the powers conferred upon us we declare and certify the same to your Honorable Bodies as by said Act directed and charged."

1863.—We have nothing of interest to record in this year as forming a portion of the political history of the county.

1864.—In accordance with a communication from the State Comptroller dated April 11, 1864, the taxes to be levied and collected for State purposes for the year ending March 1, 1865, were fixed as hereunder given. They

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will also be found given in the aggregate in our taxation table at the close of this chapter:—

For General Purposes	.48¾	cts. on the $100
Interest and Sinking Fund of 1857	.30	" "
Interest and Sinking Fund of 1860	.01¼	" "
State Capitol	.05	" "
Insane Asylum	.05	" "
Soldiers' Relief Fund	.04	" "
Aid to Central Pacific Railroad	.08	" "
Benefit of Line Officers of California Volunteers	.01	" "
Soldiers' Bounty Fund	.12	" "
Additional cells at State Prison	.05	" "
School Purposes	.05	" "
	$1.25	on the $100

March 19th the apportionment of grand and trial jurors for the different townships in the county, in accordance with the Act of the Legislature of April 27, 1863, was ordered as follows: Township Number One, one hundred and twenty-six; Township Number Two, one hundred and forty-three; Township Number Three, one hundred and eighty-one.

1865.—On January 5, 1865, we find that G. F. Sharp had procured an execution against the county for the sum of three hundred and ten thousand dollars and upwards, subject to a credit of thirty thousand dollars and upwards, purporting to be issued upon a judgment rendered in his favor in or about July, 1860, but as by an Act of the Legislature a special tax was raised to satisfy the judgment, the Board of Supervisors directed the District Attorney to take immediate legal steps to procure the satisfaction of record of said judgment, and the quashing of said writ of execution, and the release of and all levies made thereunder, and take such legal steps as may be proper to fully and amply protect the interests of the county. On February 8th the board entirely rejected this claim, which was the outcome of the vexatious Gilman case.

1866—1867.—Except the necessary elections and changes in the officials of the county, there is nothing of interest to record in these years.

1868.—On May 6, 1868, it was ordered by the Board of Supervisors that an election be held in Contra Costa county on June 20, 1868, for the purpose of submitting a proposition for the county to make a donation to the Martinez and Danville Railroad Company to aid in the construction of a railroad from Martinez to Danville, in the county of Contra Costa, in pursuance of an Act of the Legislature, entitled "An Act to authorize the county of Contra Costa to donate bonds to the Martinez and Danville

Railroad Company, and to provide for the payment of the same. Approved March 30, 1868." The result of the vote taken we give below:

For the donation.....391 votes.
Against the donation.....522 votes.

Majority against the donation .....131 votes.

On October 23d extensive repairs were ordered to the Court-house, consequent on the damage caused by the great earthquake of the 21st; indeed, so ruinous was the destruction that the District Court was relegated to the carpenter's shop of E. W. Hiller, the proper room being considered insecure. Authorization to build a calaboose at Antioch was granted to R. B. Hard, a sum of money being set apart for that purpose—and thus ends the record for 1868.

1869—1870.—For these two years the affairs of the county proceeded without let or hindrance. Smooth were the sessions of the Supervisoral Board, as they paid accounts and kept the official machinery revolving.

1871.—A Special School Tax was ordered, on August 16th, to be levied upon the property in each school district in the county in which a deficiency was shown by the written statement of the County Superintendent, pursuant to an Act of the Legislature, entitled "An Act to amend an Act to provide a system of Common Schools—Approved April 4, 1871," viz:

District.	On each $100.	District.	On each $100.
Amador	$ .77	Moraga	$ .28
Antioch	.09	Morgan Territory	1.20
Alhambra	.35	Mount Diablo	.16
Briones	.26	Iron House	.48
Bay Point	.27	Mount Pleasant	.08
Carbondale	.10	Oak Grove	.12
Central	.18	Pinole	.08
Concord	.42	Pleasant Hill	.60
Danville	.40	Pacheco	.39
Deer Valley	1.33	Rodeo Valley	.36
Excelsior	.05	San Ramon	.41
Eden Plain	.23	San Pablo	.04
Green Valley	.46	Somersville	.12½
Lime Quarry	.21	Sycamore	.43
Lone Tree	.02	Tassajara	.25
Lafayette	.28	Willow Springs	.45
Martinez	.05		

1872.—It would appear that some change was contemplated in the boundary line between Alameda and Contra Costa counties by some individuals unconnected with the latter, for we learn that the Board of Super-

visors, on January 27, 1872, protested against any such alteration, preferring that the dividing line should remain as laid down in the Act of March 25, 1853. On February 6th the town of Antioch was incorporated, the limits being fixed at one mile in width and about three in length. (For a plat of the town see page ninety-two, volume five, Records Board of Supervisors.)

1873.—On May 7, 1873, directions were given for the consolidation of the offices of County Recorder and Auditor, and that of Sheriff and Tax-Collector.

1874.—At an election held May 2, 1874, in Township Number Four, the electors voted against the issuing of liquor licenses by a majority of sixty-three votes, while, on June 6th, elections for a like purpose were held in Townships Numbers One, Two, Three and Five, with the following result:—

Township No. 1.—For License	203 votes.
Against License	161 votes.
Majority For License	42 votes.
Township No. 2.—For License	77 votes.
Against License	143 votes.
Majority Against License	66 votes.
Township No. 3.—For License	152 votes.
Against License	84 votes.
Majority For License	68 votes.
Township No. 5.—For License	216 votes.
Against License	157 votes.
Majority For License	59 votes.

While on August 3d each School district was declared to be a Squirrel Inspection District.

1875.—It was decided in this year to build offices for the County Clerk and Recorder apart from the Court-house building. On September 6th the construction was placed in the hands of P. H. Donovan and a committee appointed to select a site for the edifice, the choice falling on Lot Number Five, Block Two, in the town of Martinez.

1876.—On February 9, 1876, measures were taken for the destruction of coyotes, and a bounty offered by the Board of Supervisors on production of the scalp and ears; and on May 22d the Grangers' Warehousing and Business Association received permission to construct a wharf on the foreshores at Martinez.

1877.—The offices of County Recorder and Auditor were once more consolidated, by the Supervisors on May 7, 1877; while, on the following day directions were issued for co-operation with the Board of Supervisors of Alameda county, in a resurvey of the boundary line between that and Contra Costa. August 6th, the following resolutions, consequent on the death of Supervisor Tormey, were offered by Supervisor Loucks and adopted by the Board:—

"WHEREAS, Since the last previous meeting of this Board the call of death has removed from among us our late associate, Supervisor John Tormey, for a long term of years a member of this Board and one of our most active and enterprising citizens.

"*Resolved,* That in the death of John Tormey, Esq., this Board has lost an esteemed and valued member, the county one of its most prominent and active citizens, and his family a devoted father and husband.

"*Resolved,* That these resolutions be spread upon the minutes of the Board and a copy forwarded to the widow and children of the deceased, with a tender of the sincere sympathy of his late official associates in the affliction of their bereavement."

The last item of interest in the year 1877 was the approval of a map of the survey of the county line between Contra Costa and Alameda.

1878.—The general reader will doubtless agree with us that the political phases of the county were without especial interest, except in a general way, until the question of a new organic law for the State began to be agitated. That the old Constitution was defective in many respects was granted by all, and some favored a new instrument, while others thought that the old one could be so amended as to cover the ground and save much expense. That they were right on the last proposition is doubtless true, but as to whether or not the former was feasible was a moot-point. The question was submitted to the people from time to time, but no definite result was obtained until the general election of 1877, at which time a large majority was given in favor of calling a Convention for the purpose of framing a new instrument.

It should be mentioned here that the citizens of Contra Costa county did not accord with the feelings of the majority of the State, as the following vote will explain:

For Constitutional Convention	782 votes.
Against Constitutional Convention	903 votes.
Majority against Constitutional Convention	121 votes.

During the next session of the Legislature a bill was framed and passed providing for the election of delegates to this Convention, which was approved March 30, 1878. Thirty-two delegates were to be elected from the State at large, not more than eight of whom should reside in any one

Congressional District. In accordance with a proclamation issued by the Governor an election for the purpose of choosing delegates was held June 19, 1878, when the total vote in Contra Costa county was one thousand one hundred and thirty-nine, Thomas H. Estey receiving seven hundred and sixty votes as Joint Delegate for Marin and Contra Costa counties, and Hiram Mills four hundred and two votes as the Delegate from Contra Costa alone. The delegates convened at Sacramento City September 28, 1878, and continued in session one hundred and seventy-five days. When their labors had been completed, the new instrument was submitted to the people for their rejection or approval, and the day set for the vote was May 7, 1879. There was a very strong, and in many instances a bitter fight made against its passage, while its advocates were as energetic in their efforts to secure its adoption. The vote in Contra Costa county was:

For the New Constitution	882 votes.
Against the New Constitution	963 votes.
Majority against New Constitution	81 votes.

It will thus be seen that Contra Costa was decidedly averse to a change in the Constitution adopted in Monterey in 1849.

The last item to be recorded in this year is the establishment of a calaboose at Walnut Creek and another at Nortonville, money having been granted by the Board of Supervisors for that purpose.

1879.—May 5th we find the Board directing the construction of a calaboose at Concord; while, at the general election held September 7th the opinions of the citizens of Contra Costa are thus decidedly expressed in the matter of Chinese immigration:

For Chinese Immigration	16 votes.
Against Chinese Immigration	2039 votes.
Majority against Chinese Immigration	2,023 votes.

September 16th the Sheriff was directed to cause prisoners to labor on public works.

1880.—Early in this year several franchises were granted for the erection of wharves at Port Costa, a little hamlet fast springing into notoriety as a shipping point, and made famous as the spot where the mammoth steamer *Solano* lands the western bound trains from the Atlantic. May 3d a Board of Education, consisting of A. Thurber of Pacheco, Alfred Dixon of San Pablo, Albert J. Young of Danville, and A. M. Phalin of Nortonville, were appointed by the Supervisors; and on the following day, on motion of Supervisor P. Tormey, it was ordered that the bodies of all deceased persons hereafter interred in cemeteries in Contra Costa county should be buried in graves dug at least five feet in depth. May 5th a calaboose was granted for the town of Martinez. On the 19th an official map, nine by five feet in

dimensions, was directed to be made by Surveyor McMahon; while, according to a minute of the same date, we find that the Northern Railroad Company had over twenty-three, and the San Pablo and Tulare Railroad Company more than thirty-four miles in length in the county, the former being valued at thirteen thousand and sixty, and the latter at eleven thousand two hundred dollars per mile. In this year, too, the County Infirmary was built and the Poor Farm laid out. On July 7th an official seal for the Board was ordered, the design being "a sheaf of grain, horn of plenty, and grapes and melons, surrounded by the words 'Board of Supervisors of Contra Costa County, California.'" The public debt of the county, amounting to ninety-four thousand one hundred dollars, was funded in this year, bonds bearing interest at six per cent. *per annum*, and payable semi-annually, being directed to be issued on August 4th. On the same date the salaries of the county officers were fixed, and all fees and perquisites received directed to be paid into the Treasury. On October 4th another debt of thirty-eight thousand dollars was directed to be funded, and bonds bearing interest at the rate of six per cent. *per annum* ordered to be issued.

1881.—On February 7, 1881, Supervisor Renwick, of District No. 2, protested against Supervisor elect Sherburne occcupying his seat at the Board, on the plea that the Legislature of the State made no provision for the election of county officers, or members of the Board of Supervisors for the years 1880–1881. The Board on the same date authorized the erection of a calaboose at San Pablo; and on the 3d August granted permission to the Contra Costa Telephone Company to erect posts and wire along the public highways leading from Martinez to Danville and the Colton farm, passing through Pacheco and Walnut Creek. The last item to be recorded is the appointment by the Supervisors on November 23d, of Miss C. K. Wittenmyer to a place on the Board of Education of Contra Costa county in the place of Alfred Dixon resigned.

The case of GILMAN *versus* CONTRA COSTA COUNTY.—In the foregoing pages much has been said regarding this case, but as the entire circumstances connected with it may not be generally remembered we now place these before the reader, as given in a Statement of Facts, drawn up for the State Legislature by Judge Thomas A. Brown, and most courteously placed by that gentleman at our disposal:—

On October 28, 1852, the Board of Supervisors of Contra Costa county made a contract with Gilman to build a bridge across the San Antonio creek, in Oakland, the contract price being seven thousand four hundred dollars. It was stipulated in the contract that should the Treasurer refuse to pay any warrant or order drawn in favor of Gilman, the Treasurer having in his hands any money belonging to said county, they agreed to pay Gilman a penalty of five per cent. per month on the amount, to be deemed

an interest. On March 8, 1853, the Board of Supervisors met, and accepted the bridge, and made an order directing the County Auditor to draw a warrant upon the County Treasurer, in favor of Gilman, for seven thousand six hundred and sixty-two dollars and fifty cents, being the contract price of the bridge, together with interest thereon at five per cent. per month from the time the bridge had been completed up to the time the order was made. A warrant was drawn (number two hundred and sixteen), by the Auditor, in favor of Gilman, and delivered to him, March 8, 1853, for seven thousand six hundred and sixty-two dollars and fifty cents. The warrant was accepted by Gilman, and on the same day was presented by him to the County Treasurer, and the Treasurer made the following endorsement on the warrant: "Not paid for want of funds; March eighth, eighteen hundred and fifty-three; D. Hunsaker, Treasurer; by A. M. Holliday, Deputy." Gilman retained the warrant. It does not appear that Gilman presented his warrant to the Treasurer for payment again. On November 15, 1854, Gilman commenced an action against the County of Contra Costa, to recover the contract price of the bridge, together with five per cent. per month interest from and after March 8, 1853. The cause was tried in Solano county, and judgment was rendered in favor of the county. An appeal was taken to the Supreme Court; the judgment of the District Court was reversed, and a new trial ordered. The cause was again tried in the District Court on January 30, 1856, and judgment was rendered against the county for twenty thousand four hundred and twenty-seven dollars, being the amount of the original contract price of the bridge, with five per cent. interest thereon from March 8, 1853, to the date of the judgment, and the said judgment to bear interest at five per cent. per month. On February 14, 1855, an Act was passed funding all the indebtedness of Contra Costa county, which accrued prior to April 1, 1855; and the thirteenth section of the Act provided that it should not be lawful for the County Treasurer to pay or liquidate any of the indebtedness of said county of Contra Costa which accrued prior to February 1, 1855, *in any other manner* than in such Funding Act provided (Statutes 1855, page 12). Gilman did not present his claim to be funded. That on January 10, 1857, Gilman caused execution to be issued on the judgment in his favor, recovered on January 30, 1856, for twenty thousand four hundred and twenty-seven dollars. The execution was levied on all the moneys in the County Treasury belonging to all Funds. This levy was made January 19, 1857. On February 25, 1857, the Sheriff, under the direction of Gilman, levied on the Court House, and on March 5, 1857, again levied on the funds in the County Treasury. In March, 1857, the county moved the District Court to quash the execution and the several levies. The District Court denied the motion. The cause was appealed to the Supreme Court, and the Supreme Court reversed the order of the District Court, and ordered the executions

should be quashed and the levy vacated, the Court holding that the county buildings were exempt from seizure and forced sale on execution; and also held that the levy upon the revenues, in the hands of the Treasurer, was illegal and void; that the revenues were authorized by law, and appropriated to distinct purposes, and were not the subject of seizure upon execution (8 Cal. Rep. page 58).

On July 9, 1857, Gilman caused another execution to be issued on said judgment, and levied on private property, being an undivided eighth of the San Pablo Rancho. The property was advertised for sale, and the owner, Joseph Emeric, obtained an injunction from the District Court of the Seventh District, enjoining the sale. The case was appealed to the Supreme Court; that Court decided (10 Cal., p. 404) that the private property of an inhabitant of a county is not liable to seizure and sale on execution for the satisfaction of a judgment recovered against the county, and that no execution can issue upon a judgment rendered against the county. Gilman again caused an execution to be issued on his judgment against the county, on April 1, 1858, and levied the same on the funds in the County Treasury. A motion was made to set aside the execution and quash the levy; the District Court granted the motion and Gilman appealed to the Supreme Court. The Supreme Court affirmed the order of the District Court (10 Cal. Rep. p. 508.) This left Gilman without any remedy whatever to collect his debt, and the county without any power or authority whatever to pay. The Supreme Court having decided, in the case of Hunsaker vs. Borden (5 Cal. Rep., p. 288), that the county of Contra Costa had no power to pay any of the indebtedness which existed against that county prior to February 1, 1855, in any other manner than as prescribed in the Act to fund the indebtedness of said county, passed February 14, 1855, and that the payment in any other manner was unlawful. Gilman's debt having been contracted prior to February 1, 1855, and he having failed and neglected to fund his debt, he was without remedy. The rights of the parties continued thus until March 14, 1860, when an Act was passed entitled "An Act providing for the payment of a judgment in favor of Trusten C. Gilman, against the county of Contra Costa" (Stat. 1860, p. 94.) In the preamble of the Act it is recited:

"WHEREAS, The Supreme Court has affirmed a judgment entered in the Seventh Judicial District Court, in favor of Trusten C. Gilman, against the county of Contra Costa, which judgment was entered in said District Court on the twenty-second of March, eighteen hundred and fifty six, for the sum of twenty thousand four hundred and twenty-seven dollars, and interest and costs."

The Act provides for levying and collecting a special tax of one per cent. on the taxable property in the county, to pay said judgment, together with

interest thereon at ten per cent. per annum from its date. The fifth section of the Act provides that the Treasurer of the county of Contra Costa should pay the money collected by virtue of the Act from time to time, upon demand, to said Trusten C. Gilman, his executors, administrators, or assigns, and at the same time take a receipt therefor from his assigns; and have said judgment credited with said payment or payments by the proper party or parties entitled to receive the same; and the said party or parties entitled to receive from the Treasurer the payment of said judgment, shall, before any payments are made by the Treasurer on account of the same, deliver to the Treasurer the warrant heretofore issued in favor of said Gilman, and known as Warrant Number Two hundred and sixteen, and the Treasurer shall cancel the same. Section eight of said Act provides that said T. C. Gilman, or his assigns, should be allowed until the first Monday in August next hereafter to make known to the Board of Supervisors of said county his or their acceptance of said amount in full satisfaction and payment of all demands accruing at any time in his favor against the county of Contra Costa for building a bridge across the San Antonio creek; *provided*, that if he fail to declare said acceptance to the Board of Supervisors on or before the first Monday in August next, then said special tax shall not be collected.

That on August 6, 1860, George F. Sharp, to whom Gilman had assigned said judgment, and who was the legal assignee of the judgment rendered in favor of Gilman against the county of Contra Costa on March 22, 1856, for twenty thousand four hundred and twenty-seven dollars, with interest and costs, came before the Board of Supervisors of Contra Costa county and in writing accepted the provisions of the Act of March 14, 1860, in full satisfaction and payment of all demands accruing at any time in favor of said Gilman against the county of Contra Costa for building a bridge across the San Antonio Creek, and he also surrendered to the Treasurer of said county, as provided in said Act, the County Warrant number two hundred and sixteen, for seven thousand six hundred and sixty-two dollars and fifty cents, which was canceled, as provided in the fifth section of the Act. On the same day, August 6, 1860, the Board of Supervisors of Contra Costa county levied a tax of one per cent. on the taxable property of the county, as provided in said Act, for the payment of said claim. The payments made by the Treasurer to Sharp, as the assignee of said judgment and in satisfaction of said claim, amounted in the aggregate, on June 19, 1862, the time of the last payment, to thirty-one thousand six hundred and eleven dollars and twenty-one cents, that being the full sum due for principal and interest, as in said Act provided. And upon making the several payments the Treasurer took from said Sharp receipts as follows: "Office of the County Treasurer of Contra Costa county. Received from Hiram Fogg, County Treasurer of Contra Costa county, the sum of ten thousand dollars,

lawful currency of the United States of America, in part payment and satisfaction of the judgment recovered by Trusten C. Gilman against the county of Contra Costa. The said sum is paid out of the Gilman Judgment Fund, which was levied and collected in pursuance of an act of the Legislature of the State of California, entitled an "Act providing for the payment of a judgment in favor of Trusten C. Gilman against the county of Contra Costa, approved March 14, 1860," and by order of the Board of Supervisors of Contra Costa county, made on the sixth of August, eighteen hundred and sixty, a copy being annexed to this receipt, and the said sum is received in part satisfaction of said judgment, in accordance with the provisions of the said Act of the Legislature, and I hereby authorize satisfaction of the amount receipted for to be entered." There were thirteen different payments made, and thirteen receipts given by Sharp, as assignee of Gilman, to the Treasurer, of like tenor to the above. The debt was fully paid, as provided in said Act, on June 19, 1862.

That on March 15, 1860, prior to the passage of the Act of March 14th mentioned, George F. Sharp, as the assignee of Gilman, commenced an action in the District Court of Solano county to revive the judgment of March 22, 1856, in favor of Gilman and against the county, for twenty thousand four hundred and twenty-seven dollars, with five per cent. per month interest. Judgment was entered in said action in favor of Sharp, assignee of Gilman, by default, in the Clerk's office, on July 18, 1860, for eighty-five thousand and forty-two dollars and eighty cents, to be an interest at five per cent. per month. When this action was commenced a demurrer was filed, but after the Act of March 14, 1860, the officers of the county, believing that the Act of March 14th provided for a full settlement of all matters growing out of the Gilman bridge transaction, and intending also in good faith to pay the claim, as provided in that Act, and believing that Gilman and his assignees also intended to act in good faith in accepting the terms of said Act, the county paid no further attention to the last named suit; and afterwards, on July 18, 1860, Sharp applied to the Clerk of Solano county, who entered in a vacation judgment by default against the county for eighty-five thousand and forty-two dollars and eighty cents. No action was taken by Sharp on this last judgment until long after he had been fully paid, as stated, on and prior to June 19, 1862.

That on July 16, 1865, Sharp commenced another action to revive the last judgment of eighty-five thousand and forty-two dollars and eighty cents against the county. The action was commenced in the Fifteenth District Court in San Francisco City and county. The county defended the action on the ground that the debt had been fully paid, satisfied and discharged. The cause was tried, and judgment was rendered in the District Court in favor of the county. The Court decided that the county had fully paid and satisfied the said debt and the said

judgment, and ordered and directed that Sharp should cancel and satisfy said judgment of record. Sharp appealed from said judgment to the Supreme Court. The judgment of the District Court was affirmed. The Supreme Court held that the county was not, either legally or equitably, indebted upon the demand in any sum whatever, but on the contrary, that the county had, under the Act of March 14, 1860, fully paid and discharged the said claim. The case is entitled Sharp *vs.* Contra Costa County, and is reported in 34 Cal. Reports, p. 284.

Gilman's claim is now (1872) made to the Legislature for the same identical claim for building the bridge across the San Antonio creek, and in relation to which the litigation named was had, and the same for which payment was provided in the Act of March 14, 1860, and is the same which was fully paid and satisfied under said Act. His county warrant has been surrendered and canceled; his judgment has been paid, satisfied, and discharged, and satisfaction entered of record; he now makes a claim against the county of over six hundred and seventy-six thousand and ninety dollars upon this claim. It is submitted that the county has not only paid the claim, but has actually paid more than double what was due to him according to law. When Gilman received his warrant for seven thousand four hundred dollars on March 8, 1853, and presented the same to the Treasurer, the Treasurer made the indorsement thereon required by law. From that time the debt drew ten per cent. per annum, interest, and no more. Section ten of the Act concerning County Treasurers, passed March 27, 1850, (Statutes, 1850, p. 115), provides when any warrant shall be presented to the County Treasurer for payment, and the same is not paid for the want of funds, the Treasurer shall indorse thereon "Not paid for want of funds," annexing the date of presentation, and sign his name thereto; and from that time till redeemed, said order or warrant shall bear ten per cent. per annum. That section of the statute has been in force ever since it was passed in 1850. When Gilman accepted his warrant, and presented it to the Treasurer and procured it to be indorsed by him, and had received it back into his possession, he knew or was bound to know what the law was; that from that time no officer was authorized by law to pay any greater rate of interest on that debt than ten per cent. per annum. The interest on the debt up to June 19, 1862—the time when the full amount was paid under the Act of 1860—being nine years and three and one-third months, would have been six thousand eight hundred and sixty-five dollars, which, added to the principal, seven thousand four hundred dollars, amounted to fourteen thousand two hundred and sixty-five dollars. The county actually paid thirty-one thousand six hundred and eleven dollars and twenty-one cents, being seventeen thousand three hundred and forty-six dollars and twenty-one cents more than was due on the warrant, according to the law concerning indebtedness of counties.

The facts in this case are fully set out and authenticated in the record on the appeal of the action of Sharp *vs.* The County of Contra Costa, in the Supreme Court in the case reported in 34 Cal. p. 284. The transcript, briefs and decision of the District Court, with its findings, and the testimony in the case, will be found bound in volume seventy of California Supreme Court Record, pp. 50 to 102.

The petitioner has no claims whatever upon the county, either legal or equitable; but he has been paid by the county actually more than twice as much as was justly due him, and his present claim is a sham without foundation, and is neither supported by equity nor good conscience, and should be postponed indefinitely.

This is the full history of that vexatious suit, tersely and fully put forth as already said by that learned exponent of the law, Judge Thomas A. Brown.

We will close this chapter by calling the attention of our readers to the Tables herewith appended. In the second will be found a list of taxes levied since the foundation of the county, exclusive of the poll-tax, while in the third we have handed to posterity a full list of all the officers who have served the county, from State Senator to Constable, with the votes received at the various elections. Also notes showing the appointments made by the Court of Sessions and Boards of Supervisors between each general election. This Table is as complete as it is possible to make, and all records of the county have been thoroughly searched for the purpose of making it perfectly correct and reliable, and it is with no little degree of pride that we present to our patrons the result of our labors, feeling well assured that it will be fully appreciated by all who have occasion to refer to it.

Table showing the Total Assessed Value of Property in Contra Costa County, from 1850 to 1881.

Year.	Amount.	Year.	Amount.	Year.	Amount.	Year.	Amount.
1850	$2,002,110.00	1858	$2,536,617.00	1866	$2,473,320.90	1874	$7,592,958.00
1851	1,753,648.00	1859	2,425,025.00	1867	2,673,963,00	1875	7,368,312,00
1852	2,226,198.00	1860	2,324,866.36	1868	3,424,022.00	1876	7,227,920.00
1853	1,995,192.00	1861	1,980,297.75	1869	3,466,845.00	1877	7,036,952.00
1854	2,330,084.00	1862	1,744,586.00	1870	3,502,727.00	1878	7,345,096.00
1855	1,710,403.00	1863	1,742,492.00	1871	3,250,311,00	1879	7,711,245.00
1856	1,580,136.00	1864	2,120,881.38	1872	7,623,270,00	1880	8,175,682.00
1857	1,869,405.00	1865	2,638,424.00	1873	7,030,292,00	1881	8.758,164.00

Table showing the Yearly Taxation levied in Contra Costa County, compiled from the Records of the Court of Sessions and Boards of Supervisors, from 1850 to 1882 inclusive.

Date.	For State Fund.	County General Fund.	County School Fund.	County Public Build'ng Fund.	County Interest Fund.	County Road Fund.	County Sinking Fund.	Gilman Judgm't Fund.	County Contingent Fund.	W. R. Barber Fund.	County Hospital Fund.	County Bounty Fund.	Squirrel Nuisance Abatem't Fund.	Special Road Tax.	County Bridge Fund.	Hospital Build'ng Fund.	Total per Year.
	$ Cts.	$ Cts.	$ Cts.	$ Cts.	$ Cts.	$ Cts.	$ Cts.	$ Cts.	$ Cts.	$ Cts.	$ Cts.	$ Cts.	$ Cts.	$ Cts.	$ Cts.	$ Cts.	$ Cts.
April 14, 1851	....	.50	....	....	....	....	....	....	....	....	....	....	....	....	....	....	.50
May 11, 1853	.30	.50	....	....	....	....	....	....	....	....	....	....	....	....	....	....	.80
April 18, 1853	.30	.47	.03	....	....	....	....	....	....	....	....	....	....	....	....	....	.80
April 3, 1854	....	.50	....	.25	....	....	....	....	....	....	....	....	....	....	....	....	.75
June 27, 1855	.60	.50	.05	....	.30	....	....	....	....	....	....	....	....	....	....	....	1 63
August 8, 1855	....	....	....	....	....	.05	....	....	....	....	....	....	....	....	....	....	
August 11, 1855	....	....	.10	....	....	....	....	....	....	....	....	....	....	....	....	....	.95
March 3, 1857	....	.50	.10	....	.30	.05	....	....	....	....	....	....	....	....	....	....	1.75
April 5, 1858	.60	.50	.10	....	....	.05	.50	....	....	....	....	....	....	....	....	....	1.75
March 28, 1859	.60	.50	10	....	....	.05	.50	....	....	....	....	....	....	....	....	....	1.75
February 21, 1860	.60	.50	.10	....	....	05	.50	....	....	....	....	....	....	....	....	....	2.80
January 31, 1861	.60	.50	.10	....	....	.10	.50	1.00	....	....	....	....	....	....	....	....	
February 25, 1862	.62	.50	.20	....	....	....	.50	....	....	....	....	....	....	....	....	....	2.45
June 9, 1862	.15	....	....	....	....	.40	....	....	.04	....	....	....	....	....	....	....	2.10
February 25, 1863	.80	.45	.20	....	....	....	.50	....	.05	.07	.03	....	....	....	....	....	
February 29, 1864	....	.50	.20	....	....	.60	.50	....	.05	....	.03	....	....	....	....	....	3.13
March 19, 1864	1.25	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	2.79
February 8, 1895	1.15	.60	.25	....	....	.20	.50	....	.05½	.02½	.01½	....	....	....	....	....	
March 2, 1896	....	.10	.30	....	....	.20	.50	....	.09½	....	.00½	....	....	....	....	....	2.32
May 7, 1896	1.13	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	2.79
February 7, 1867	1.13	.60	.30	....	....	.20	.50	....	.05½	....	.00½	....	....	....	....	....	3.10
February 4, 1868	1.00	.60	.30	....	....	.60	.50	....	.07½	....	.02½	....	....	....	....	....	3.94
February 4, 1869	.97	.55	.30	....	....	.60	.50	....	....	....	.02	....	....	....	....	....	2.29
February 9, 1870	.97	.40	.30	....	....	.60	....	....	....	....	.02	....	....	....	....	....	2.70
February 9, 1871	.80½	.45	.30	....	....	.60	.40	....	....	....	.03½	.05	....	....	....	....	1.73
February 8, 1872	....	.60	.30	....	....	.60	.10	....	....	....	.07	.05	....	....	....	....	1.60
October 7, 1872	.50	.40	.10	....	....	.41	.02½	....	....	....	.04	.02½	....	....	....	....	1.70
October 7, 1873	.50	.40	.20	....	....	.50	....	....	....	....	.06	.04	....	....	....	....	1.80
October 5, 1874	.64⅞	.32	.17	....	....	.15	....	....	....	....	.06	.10	.04	.25	.06½	....	1.72
October 4, 1875	.60½	.37	.15	....	....	.30	....	....	....	....	.07	....	.18	....	.04½	....	1.84
October 2, 1876	.73½	.30	.15	....	....	.40	....	....	....	....	.08	.00½	.17	....	....	....	1.00
October 1, 1877	.63	.20	.17	....	....	.60	....	....	....	....	.07½	.00½	.12	....	....	....	1.95
October 7, 1878	.55	.53	.17	....	....	.60	....	....	....	....	.07½	.01½	.01	....	....	....	1.00
October 6, 1879	.62½	.30	.18	....	....	.40	....	....	....	....	.08½	.01	....	....	....	....	1.65
October 4, 1880	.04	.20½	.20	....	....	.39	.03	....	....	....	.07½	.02	....	....	....	....	1.70
October 3, 1881	.65½	.30	.19	....	....	.39	.02	....	....	....	.08½	.01	....	....	....	.05	

Table showing the Officers of Contra Costa County, as compiled from the Records of the Court of Sessions and Boards of Supervisors, from 1850 to 1882 inclusive.

Name of Office.	1850—1851.		1851—1852.		1852 1853.		1853—1854.		1854—1855.	
	Name of Holder.	Vote.	Name of Holder.	Vote.	Name of Holder.	Vote.	Name of Holder.	Vote.	Name of Holder.	Vote.
Senator	W. R. Bascom		George B. Tingley		Jacob Grewell		Jacob Grewell		W. H. McCoun	586
Member of Assembly	Elam Brown		N. B. Smith		H. W. Carpentier		F. M. Warmcastle	363	Warren Brown	535
District Judge	John H. Watson		C. P. Hester		C. P. Hester		E. W. McKinstry		E. W. McKinstry	
County Judge	F. M. Warmcastle		F. M. Warmcastle		F. M. Warmcastle		R. N. Wood	327	R. N. Wood	
Superior Judge										
District Attorney	J. F. Williams		J. F. Williams		T. T. Bouldin		H. Mills	346	H. Mills	
County Clerk	Thos. A. Brown		Thos. A. Brown		Thos. A. Brown		Thos. A. Brown	361	Thos. A. Brown	
" Recorder	Thos. A. Brown		Thos. A. Brown		Thos. A. Brown		Thos. A. Brown		Thos. A. Brown	
" Auditor	Thos. A. Brown		Thos. A. Brown		Thos. A. Brown		Thos. A. Brown		Thos. A. Brown	
" Sheriff	Nathaniel Jones		N. Jones		N. Hunsaker		J. F. S. Smith	390	J. F. S. Smith	
" Tax Collector	Daniel Hunsaker		D. Hunsaker		D. Hunsaker		Robt. E. Borden		Robt. E. Borden	
" Treasurer	Daniel Hunsaker		D. Hunsaker		D. Hunsaker		Robt. E. Borden	394	Robt. E. Borden	
" Assessor	N. B Smith		N. B. Smith		L. H. Hastings		John M. Jones	385	John M. Jones	
" Coroner	B. R. Holliday		B. R. Holliday				F. M. Seat	391	L. H. Hastings	537
" Surveyor	Warren Brown		Warren Brown		Warren Brown		T. M. Aull	342	T. M. Aull	
" Supt. of Schools										
" Pub. Admin'r					W. W. Chipman		Nathaniel Jones	407	Jas. A. Morgan	586
Associate Justices, Court of Sessions	A. Peak		B. R. Holliday		E. F. Weld		Geo. F. Worth		J. B. Richardson	
	E. G. Guest		A. R. Meloney		A. R. Meloney		J. M. Blood		L. S. Knowles	

Supervisors	.....	Saml. H. Robinson		Saml. H. Robinson		A. W. Genung	311	.....			
	.....	Victor Castro		Cummings Lund		Joseph Martin	345	.....			
	.....	Robt. Farrelly		E. D. Winn		Carroll W. Ish	393	.....			
	.....	Wm. Patten		Wm. Patten		Isaac Hunsaker	384	.....			
	.....	T. J. Keefer		T. J. Keefer		J. C. McMaster	352	.....			
Justices of the Peace	B. R. Holliday, Martinez	B. R. Holliday		Wm. Hillegass, Oakland		—— Cole, Martinez	44	N. Bowen, Tp. No. 1		144	
	A. Pesk	Edson Adams		Geo. M. Blake, S. Ant'o		Geo. F. Worth, Martinez	62	Geo. F. Worth, " 1		144	
	E. G. Guest	A. R. Meloney	27	Sam. Baldwin, S. Pablo	27	P. M. Lea, San Pablo	57	G. W. Hammett, " 2		78	
	S. J. Tennent	S. J. Tennent		A. W. Genung, San Pablo	34	J. M. Blood, San Pablo	48	H. B. Hale, " 2		74	
	J. S. Beemer					Geo. W. Kimball, N. Y	34	A. B. Bates, " 3		213	
	José Joaquin Estudillo					John G. Perkins, N. Y	30	L. S. Knowles, " 3		124	
						A. R. Meloney, M. Diablo	119	Silas Stone, " 4		79	
						D. Hodges	71	John F. Alsop, " 4		77	
								Frank Mitchell, " 5		62	
								Salvio Pacheco, " 5		28	
								J. B. Richardson, " 6		59	
								Samll. Adams, " 6		48	
Constables	Joseph Barker, N. York			H. C. Dale, San Pablo	40	H. C. Dale, San Pablo	53	E. Van Borne, Tp. No. 1		93	
						A. T. Ivas, San Pablo	83	Henry Classen, " 1		16	
						Warren Derby, N. York	34	John Southard, " 2		109	
						Wm. Guinn, New York	31	T. G. Beauchamp, " 2		82	
						H. Classen, Martinez	67	J. M. Quin, " 3		104	
						J. S. Day, Martinez	33	H. C. Dale, " 3		103	
						Wm. Alica, Monte Diablo	99	Danl. Inman, " 4		68	
						T. G. Beaucbamp "	88	P. A. Thompson, " 4		67	
								Chas. Bagley, " 5		50	
								A. C. Penniman, " 5		27	
								W. T. Grinn, " 6		50	
								I. Hardin, " 0		38	

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NOTES.—1850-51:

July 20, 1850.—Napoleon B. Smith to be County Auditor, *vice* Rigeley, resigned.
Aug. 19, 1850.—S. J. Tennent to be Associate Justice, Court of Sessions, *vice* Guest, resigned.

NOTES.—1851-1852:

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Aug. 4, 1851.—Edson Adams to be Associate Justice, Court of Sessions.
Oct. 6, 1851.—J. S. Beemer to be Associate Justice, Court of Sessions.

NOTES.—1852-1853:

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Dec. 27, 1852.—J. F. Williams to be Supervisor, *vice* Lund, deceased.
Dec. 6, 1852.—A. R. Meloney and E. F. Weld to be Associate Justices, Court of Sessions.
April 2, 1853.—J. H. Livingston to be Associate Justice, *vice* Weld, failed to qualify.
April 2, 1853.—S. A. Bishop to be Supervisor, *vice* Robinson.
April 2, 1853.—Samuel Russell to be Supervisor, *vice* Patten.
April 23, 1853.—B. R. Holliday to be County Treasurer, *vice* Hunsaker, resigned.
May 23, 1853.—Thomas A. Ault to be County Surveyor, *vice* Brown, resigned.

NOTES.—1853-1854:

Oct. 22, 1853.—Geo. M. Jones to be Justice of the Peace, Martinez Township, *vice* Cole, removed from County.
Jan. 16, 1854.—A. B. Bates to be Justice of the Peace, San Pablo Township.
April 11, 1854.—John Tennant to be County Physician.
June 5, 1854.—Silas Stone to be Justice of the Peace, Monte Diablo Township, *vice* Meloney, resigned.
July 24, 1854.—J. M. Morgan to be Public Administrator, *vice* Jones, resigned.

NOTES.—1854-1855:

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Oct. 18, 1854.—B. Roberts to be Constable, Tp. No. 3, *vice* Dale, failed to qualify.
Oct. 25, 1854.—Joseph Lamson to be Justice of the Peace, Township No. 2.
Oct. 25, 1854.—J. T. Sumner to be Constable, Township No. 2.
Nov. 6, 1854.—Daniel Small to be County Surveyor, *vice* Ault, removed from County.
June 27, 1855.—James Stone to be Constable, Tp. No. 4, *vice* Thompson, resigned.
June 27, 1855.—W. T. Brown to be Justice of Peace, Tp. No. 2, *vice* Southard, resigned.
June 27, 1855.—David Hodges to be Justice of Peace, Tp. 2, *vice* Hammett, resigned.
June 27, 1855.—R. A. Madison to be Justice of Peace, Tp. 1, *vice* Bowen, resigned.
June 27, 1855.—Jas. E. Mason to be Constable, Tp. 1, *vice* Classen rem'd from County.

Table showing the Officers of Contra Costa County, as compiled from the Records of the Court of Sessions and Boards of Supervisors, from 1850 to 1882 inclusive.

Name of Office.	1855–1856.		1856–1857.		1857–1858.		1858–1859.		1859–1860.	
	Name of Holder.	Vote.	Name of Holder.	Vote.	Name of Holder.	Vote.	Name of Holder.	Vote.	Name of Holder.	Vote.
Senator	W. H. McCoun		A. R. Meloney	443	A. R. Meloney		G. W. Dent	552	G. W. Dent	
Member of Assembly	A. R. Meloney	359	Andrew Inman	480	F. M. Warncastle	476	B. S. Hines	474	C. Yager	767
District Judge	E. W. McKinstry		E. W. McKinstry		E. W. McKinstry		E. W. McKinstry	369	E. W. McKinstry	
County Judge	R. N. Wood		Thos. A. Brown	574	Thos. A. Brown	526	Thos. A. Brown		Thos. A. Brown	
Superior Judge										
District Attorney	H. Mills	315	H. Mills		E. Parker	444	Wm. W. Theobald	454	Wm. W. Theobald	818
County Clerk	C. Yager	270	C. Yager		L. C. Wittenmyer	512	L. C. Wittenmyer		L. C. Wittenmyer	925
" Recorder	C. Yager		C. Yager		L. C. Wittenmyer		L. C. Wittenmyer		L. C. Wittenmyer	
" Auditor	C. Yager		C. Yager		L. C. Wittenmyer		L. C. Wittenmyer		L. C. Wittenmyer	
" Sheriff	N. Hunsaker	313	N. Hunsaker		Jas. C. Hunsaker	459	Jas. C. Hunsaker		Jas. C. Hunsaker	778
" Tax-Collector	Robt. E. Borden		Robt. E. Borden		H. Fogg		H. Fogg		H. Fogg	
" Treasurer	Robt. E. Borden	426	Robt. E. Borden		H. Fogg	373	H. Fogg		H. Fogg	831
" Assessor	O. F. Alley	286	O. F. Alley		J. F. S. Smith	402	J. F. S. Smith		J. J. White	738
" Coroner	Wm. Armstrong	399	W. A. J. Gift	413	J. M. Sutton	482	John Tennant	576	John Tennant	792
" Surveyor	Daniel Small	416	Daniel Small		Daniel Small	482	Daniel Small		Geo. Vosburg	717
" Sup. of Schools	J. Vandermark	306	John M. Jones	494	E. H. Cox	403	E. H. Cox		A. F. Dyer	760
" Pub. Admin'r.	Geo. Langdon	300	Geo. Langdon		M. R. Barber	417	M. R. Barber		B. R. Holliday	645
Associate Justices of the Ct. of Sessions					F. Vanderwenter Thos. Russell					
Supervisors	J. H. Livingston, Dist. 1.		Joseph Emeric, Dist. 1	173	J. Emeric, Dist. No. 1.	176	J. Emeric, Dist. No. 1.	174	J. Emeric, Dist. No. 1.	
	L. E. Morgan, " 2.		Ira J. True, " 2.	157	Ira J. True, " 2.	181	Ira J. True, " 2.		Ira J. True, " 2.	202
	W. R. Bishop, " 3.		O. A. Olmstead, " 3.	49	J. L. Bromley, " 3.	92	J. L. Bromley, " 3.		J. L. Bromley, " 3.	
	Thos. A. Brown, " 1.									
	Nath. Jones, " 2.									
	C. E. Wetherbee, " 3.									
Justices of the Peace	R. A. Madison, Tp. 1.	92	R. A. Madison, Tp. 1.	151	Geo. Christian, Tp. 1.	152	E. F. Weld, Tp. No. 1.	223	E. F. Weld, Tp. No. 1.	254
	G. M. Jones, " 1.	81	L. E. Morgan, " 1.	133	L. E. Morgan, " 1.	47	Thos. Reynolds, " 1.	147	A. F. Dyer " 1.	181
	M. M. Menlo, " 2.	36	M. M. Menlo, " 2.	225	F. Vanderwenter, " 2.	148	F. Vanderwenter, " 2.	103	J. W. Maxey, " 2.	96
	D. Meacham, " 20	34	L. C. Wittenmyer, " 2.	272	L. M. Brown, " 2.	101	Joseph Venable, " 2.	128	L. M. Brown, " 2.	235
	W. Whipple, " 3.	122	J. L. Bromley, " 3.	81	J. C. McMaster, " 34.	54	John H. Russell, " 3.	65	J. H. Russell, " 2.	123
	J. Huff, " 3.	93	F. Lattare, " 3.	74	Thos. Russell, " 3.	49	C. E. Wetmore, " 3.	48	C. E. Wetmore, " 2.	119
	D. P. Smith, " 4.	74								
	S. A. Reeves, " 4.	65								
	R. Desty, " 5.	57								
	B. Clark, " 5.	45								
	F. Lattare, " 0.	47								
	Wm. Wyatt, " 0.	44								

Constables.....	Chas. White, Tp. No. 1.	72	N. A. Poole, Tp. No. 1.	114	N. A. Poole, Tp. No. 1.	120	Adam Hogg, Tp. No. 1.	218	J. Fitzgerald, Tp. No. 1.	203
	E. Van Borne, " 1.	31	E. Van Borne, " 1.	134	E. Willis, " 1.	03	E. Van Borne, " 1.	192	Ang. Clapp, " 1.	193
	J. F. Sumner, " 2.	88	G. Bryant, " 2.	212	L. Peck, " 2.	84	L. W. Perry, " 2.	117	L. W. Perry, " 2.	124
	J. C. Chaney, " 2.	50	Joseph Flippin, " 2.	144	J. R. Henderson, " 2.	53	S. A. Carpenter, " 2.	104	John Dixon, " 2.	115
	B. Roberts, " 3.	118	M. Cummins, " 3.	49	H. McCoy, " 3.	44	A. Guinn, " 3.	45	A. Guinn, " 3.	107
	N. H. Poole, " 3.	115	Wm. Tayuton, " 3.	30	Thos. Robertson, " 3.	22	Danl. Mahan, " 3.	36	J. F. Tilton, " 3.	67
	L. Wittenmyer, " 4.	73								
	G. W. Fraser, " 4.	60								
	L. Beemer, " 5.	41								
	A. Guinn, " 5.	39								
	Saml. Brown, " 6.	56								
	J. T. McCoy, " 6.	40								

NOTES.—1855-1856:

Nov. 7, 1855.—C. H. Cole to be Justice of the Peace, Township No. 3, *vice* Whipple, resigned.

Nov. 7, 1855.—Y. Clark to be Justice of the Peace, Township No. 3, *vice* Huff, failed to qualify.

Nov. 7, 1855.—N. S. Peck to be Constable, Tp. No. 3, *vice* Roberts, failed to qualify.

Jan. 6, 1856.—John White to be Justice of the Peace, Township No. 4, *vice* Reeves, failed to qualify.

Jan. 6, 1856.—Thos. Ewing to be County Supt. of Schools, *vice* Vandermark, resigned.

Jan. 14, 1856.—L. H. Hastings to be County Coroner, *vice* Armstrong, resigned.

Jan. 14, 1856.—A. B. Bates to be Justice of the Peace, Township No. 3, *vice* Cole, failed to qualify.

Jan. 14, 1856.—W. H. McNeil to be Constable, Township No. 5, *vice* Beemer, failed to qualify.

NOTES.—1856-1857:

March 2, 1857.—J. F. S. Smith to be County Coroner.

NOTES.—1857-1858:

Jan. 2, 1858.—E. F. Weld and G. M. Jones to be Justices of the Peace, Tp. No. 1.

Jan. 2, 1858.—A. Clapp to be Constable, Township No. 1.

Feb. 1, 1858.—John H. Russell to be Justice of the Peace, Township No. 3.

Feb. 1, 1858.—W. H. McNeil to be Constable, Township No. 3.

Mar. 1, 1858.—N. J. Clark to be Justice of the Peace, Township No. 1.

May 3, 1858.—Wm. W. Theobald to be District Attorney, *vice* Parker.

May 3, 1858.—E. F. Weld to be Associate Justice Court of Sessions.

NOTES.—1858-1859:

June 6, 1859.—John Fitzgerald to be Constable, Tp. No. 1, *vice* Hogg, resigned.

June 6, 1859.—C. H. Ruggles to be County Coroner, *vice* Tennant.

NOTES.—1859-1860:

Nov. 8, 1859.—E. T. Hough to be County Coroner.

Jan. 2, 1860.—J. B. Abbott to be County Surveyor, *vice* Vosburg, resigned.

Feb. 6, 1860.—S. A. Carpenter to be Constable, Tp. No. 2, *vice* Dixon, resigned.

Table showing the Officers of Contra Costa County, as compiled from the Records of the Court of Sessions and Boards of Supervisors, from 1850 to 1882 inclusive.

Name of Office.	1860–1861.		1861–1862.		1862–1863.		1863–1864.		1864–1865.	
	Name of Holder.	Vote.	Name of Holder.	Vote.	Name of Holder.	Vote.	Name of Holder.	Vote	Name of Holder.	Vote.
Senator	Andrew Inman	543	Andrew Inman		C. B. Porter	773	C. B. Porter	960	C. B. Porter	
Member of Assembly	C. B. Porter	597	C. B. Porter	728	T. J. Wright	820	T. J. Wright	1023	T. J. Wright	
District Judge	E. W. McKinstry		E. W. McKinstry		E. W. McKinstry		Thos. A. Brown	550	Thos. A. Brown	
County Judge	Thos. A. Brown*	958	Thos. A. Brown		Thos. A. Brown		Mark Shepard	579	Mark Shepard	
Superior Judge										
District Attorney	Wm. W. Theobald		Mark Shepard	928	Mark Shepard		H. Mills	1024	H. Mills	
County Clerk	L. C. Wittenmyer		L. C. Wittenmyer	793	L. C. Wittenmyer		Geo. P. Loucks	899	Geo. P. Loucks	
" Recorder	L. C. Wittenmyer		L. C. Wittenmyer		L. C. Wittenmyer		Geo. P. Loucks		Geo. P. Loucks	
" Auditor	L. C. Wittenmyer		L. C. Wittenmyer		L. C. Wittenmyer		Geo. P. Loucks		Geo. P. Loucks	
" Sheriff	Jas. C. Hunsaker		J. J. McEwen	725	J. J. McEwen		J. J. McEwen	1006	J. J. McEwen	
" Tax Collector	H. Fogg		O. F. Alley		O. F. Alley		O. F. Alley		O. F. Alley	
" Treasurer	H. Fogg		O. F. Alley	793	O. F. Alley		O. F. Alley	1026	O. F. Alley	
" Assessor	J. J. White		N. J. Clark	714	N. J. Clark		Philip Sage	1010	Philip Sage	
" Coroner	J. L. Labaree	542	H. H. Fassett	375	H. H. Fassett		E. F. Hough	999	E. F. Hough	
" Surveyor	J. B. Abbott	615	John Doherty	586	K. W. Taylor	1165	K. W. Taylor	1038	K. W. Taylor	
" Supt. of Schools	A. F. Dyer		D. S. Woodruff	788	D. S. Woodruff		J. F. S. Smith	512	H. R. Avery	
" Pub. Admin'r.	B. R. Holliday		M. R. Barber	1202	M. R. Barber		D. S. Woodruff	1020	D. S. Woodruff	
Associate Justices, Court of Sessions	R. P. White									

Respectfully
Nathaniel Jones

Supervisors.....	J. Emeric, Dist. No. 1.	.....	G. H. Barrett, Dist. 1.	286	G. H. Barrett, Dist. 1.	.....	G. H. Barrett, Dist. 1.	.....	J. Tewksbury, Dist. 1.	247
	Ira J. True, " 2.	.....	Ira J. True, " 2.	.....	J. R. L. Smith, " 2.	183	J. R. L. Smith, " 2.	.....	J. R. L. Smith, " 2.	.....
	J. T. Walker, " 2.	.....	Jas. T. Walker, " 3.	.....	Jas. T. Walker, " 3.	.....	R. G. Davis, " 3.	464	R. G. Davis, " 3.	.....
Justices of the Peace..	E. F. Weld, Tp. No. 1.	302	E. F. Weld, Tp. No. 1.	313	W. K. Leavitt, Tp. No. 1.	127	W. K. Leavitt, Tp. No. 1.	82	O. F. James, Tp. No. 1.	.....
"	A. F. Dyer, " 1.	258	A. F. Dyer, " 1.	285	A. F. Dyer, " 1.	210	Geo. F. Pease, " 1.	52	A. F. Dyer, " 1.	.....
	R. P. White, " 2.	252	R. P. White, " 2.	184	R. P. White, " 2.	220	G. W. Hammett, " 2.	111	G. W. Hammett, " 2.	.....
	J. W. Venable, " 2.	192	H. M. Stanage, " 2.	214	Jas. Foster, " 2.	183	Jas. Foster, " 2.	141	H. M. Stanage, " 2.	.....
	John Osborne, " 3.	239	P. Germain, " 3.	329	Wm. Morris, " 3.	362	J. T. Cruikshank, " 3.	205	C. P. Marsh, " 3.	.....
	C. E. Wetmore, " 3.	333	Wm. Girvan, " 3.	302	Wm. Girvan, " 3.	377	Wm. Girvan, " 3.	165	John Phillips, " 3.	.....
Constables.....	J. Fitzgerald, Tp. No. 1.	241	J. Fitzgerald, Tp. No. 1.	203	Adam Hogg, Tp. No. 1.	157	Adam Hogg, Tp. No. 1.	185	W. P. Baldwin, " 1.	.....
	F. A. Mathews, " 1.	311	F. A. Mathews, " 1.	362	F. A. Mathews, " 1.	196	Geo. A. Swain, " 1.	224	Geo. Swain, " 1.	.....
	H. M. Stanage, " 2.	176	T. H. Rahn, " 2.	226	Geo. Stone, " 2.	182	Geo. Stone, " 2.	247	Geo. Stone, " 2.	.....
	J. T. Flippin, " 2.	250	J. T. Flippin, " 2.	191	J. T. Flippin, " 2.	226	C. C. Swain, " 2.	257	T. H. Rahn, " 2.	.....
	W. Henry, " 3.	136	J. McDermott, " 3.	267	W. W. Burr, " 3.	244	E. D. Gregg, " 3.	345	C. E. Wetmore, " 3.	.....
	J. G. Tilton, " 3.	240	J. G. Tilton, " 3.	186	J. G. Tilton, " 3.	226	W. C. Israel, " 3.	240	W. C. Israel, " 3.	.....

NOTES.—1860-1861:

March 2, 1861.—Sylvanus Swain to be County Treasurer, *vice* Fogg, deceased.

NOTES.—1861-1862:

Dec. 2, 1861.—K. W. Taylor to be County Surveyor, the office being declared vacant by decree of the County Court.

May 5, 1862.—Geo. W. Hammett to be Justice of the Peace, Township No. 2, *vice* Stanage, resigned.

NOTES.—1862-1863:

Mar. 25, 1863—Geo. W. Hammett to be Justice of the Peace, Township No. 2, *vice* White, resigned.

NOTES.—1863-1864:

Jan. 2, 1864.—O. F. James to be Justice of the Peace, Township No. 1, *vice* Leavitt, deceased.

Jan. 11, 1864.—C. P. Marsh to be Justice of the Peace, Township No. 3, *vice* Cruikshank, absent from the State.

Jan. 11, 1864.—John Phillips to be Justice of the Peace, Township No. 3.

Jan. 11, 1864.—A. F. Dyer to be Justice of the Peace, Township No. 1.

Mar. 12, 1864.—H. M. Stanage to be Justice of the Peace, Township No. 2.

Mar. 12, 1864.—T. H. Rahn to be Constable, Township No. 2, *vice* Swain, failed to qualify.

Mar. 19, 1864.—H. R. Avery to be County Supt. of Schools, *vice* Smith, failed to qualify.

June 6, 1864.—W. P. Baldwin to be Constable, Tp. No. 1, *vice* Hogg, resigned.

June 6, 1864.—J. G. Tilton to be Constable, Tp. No. 3, *vice* Gregg, removed.

Oct. 8, 1864.—C. E. Wetmore to be Constable, Tp. No. 3, *vice* Tilton, deceased.

Table showing the Officers of Contra Costa County, as compiled from the Records of the Court of Sessions and Boards of Supervisors, from 1850 to 1882 inclusive.

Name of Office.	1865–1866.		1866–1867.		1867–1868.		1868–1869.		1869–1870.	
	Name of Holder.	Vote.	Name of Holder.	Vote.	Name of Holder.	Vote.	Name of Holder	Vote.	Name of Holder.	Vote.
Senator	C. B. Porter		C. B. Porter		Jas. J. Green	745	Jas. J. Green		Jas. J. Green	
Member of Assembly	Thos. A. Brown	925	Thos. A. Brown		Thos. A. Brown	798	Thos. A. Brown		J. H. Carothers	767
District Judge	S. H. Dwinelle	673	S. H. Dwinelle		S. H. Dwinelle	586	S. H. Dwinelle		S. H. Dwinelle	
County Judge	Mark Shepard		Mark Shepard		Mark Shepard		Mark Shepard		Mark Shepard	
Superior Judge										
District Attorney	H. Mills	975	H. Mills		H. Mills	802	H. Mills		H. Mills	750
County Clerk	Geo. P. Loucks	807	Geo. P. Loucks		L. C. Wittenmyer	745	L. C. Wittenmyer		A. J. Markley	732
" Recorder	Geo. P Loucks		Geo. P. Loucks		L. C. Wittenmyer		L. C. Wittenmyer		A. J. Markley	
" Auditor	Geo. P. Loucks		Geo. P. Loucks		L. C. Wittenmyer		L. C. Wittenmyer		A. J. Markley	
" Sheriff	Henry Classen	915	Henry Classen		R. B. Hard	708	R. B. Hard		Warren Brown	798
" Tax Collector	O. F. Alley		O. F. Alley		O. F. Alley		O. F. Alley		J. R. L. Smith	
" Treasurer	O. F. Alley	953	O. F. Alley		O. F. Alley	676	O. F. Alley		J. R. L. Smith	809
" Assessor	F. A. Mathews	890	F. A. Mathews		F. A. Mathews	1050	F. A. Mathews		Jas. Foster	696
" Coroner	E. T. Hough	905	Dr. J. H. Carothers		Dr. J. H. Carothers	722	Dr. J. H. Carothers		C. A. Ruggles	811
" Surveyor	K. W. Taylor	880	K. W. Taylor		T. A. Talleyrand	733	T. A. Talleyrand		T. A. Talleyrand	631
" Supt of Schools	H. K. Avery	890	H. K. Avery		A. Thurber	680	A. Thurber		A. Thurber	863
" Pub. Admin'r.	J. E. Stevens	943	J. E. Stevens		Daniel Small	729	B. R. Holliday		R. B. Brock	845
Associate Justices, Court of Sessions										

Supervisors	Jas. Tewksbury, Dist. 1.		Jas. Tewksbury, Dist. 1.		John Tormey, Dist. 1.	152	John Tormey, Dist. 1.		John Tormey, Dist. 1.	
	D. N. Sherburne, " 2.	218	D. N. Sherburne, " 2.		D. N. Sherburne, " 2.		D. N. Sherburne, " 2.	220	D. N. Sherburne, " 2.	
	R. G. Davis, " 3.		R. B. Hard, " 3.	141	R. B. Hard " 3.		R. H. Wright, " 3.		R. H. Wright, " 3.	490
Justices of the Peace.	O. F. James, Tp. No. 1.	295	O. F. James, Tp. No. 1.		John C. Dodd, Tp. No. 1.	140	C. W. Lander, Tp. No. 1.		H. Allen, Tp. No. 1.	145
	A. F. Dyer, " 1.	212	A. F. Dyer, " 1.		T. D. Palmer, " 1.	111	T. B. Palmer, " 1.		S. C. Wilbur, " 1.	106
	G. W. Hammett, " 2.	121	G. W. Hammett, " 2.		H. M. Stanage, " 2.	153	H. M. Stanage, " 2.		John Slitz, " 2.	125
	A. W. Hammitt, " 2.	117	A. W. Hammitt, " 2.		Jas. Foster, " 2.	158	Jas. Foster, " 2.		Chas. Woods, " 2.	83
	E. S. Sayles, " 3.	188	E. S. Sayles, " 3.		J. W. Hook, " 3.	225	J. W. Hook, " 3.		D. Mayon, " 3.	271
	J. J. McNulty, " 3.	232	J. J. McNulty, " 3.		J. J. McNulty, " 3.	312	J. J. McNulty, " 3.		H. Ashbrook, " 3.	219
Constables	J. Fitzgerald, Tp. No. 1.	178	J. Fitzgerald, Tp. No. 1.		W. A. J. Gift, Tp. No. 1.	107	W. A. J. Gift, Tp. No. 1.		R. Thompson, Tp. No. 1.	181
	J. McGrath, " 1.	234	J. McGrath, " 1.		J. McGrath, " 1.	176	J. McGrath, " 1.		W. P. Baldwin, " 1.	143
	Thos. Denn, " 2.	217	Thos. Denn, " 2.		Geo. Stone, " 2.	172	Geo. Stone, " 2.		Geo. Stone, " 2.	165
	V. Litchfield, " 2.	208	V. Litchfield, " 2.		Wm. Daley, " 2.	238	Wm. Daley, " 2.		Fr. Hammett, " 2.	188
	J. G Chase, " 3.	239	T. O. Carter, " 3.		T. O. Carter, " 3.	284	T. O. Carter, " 3.		E. Roberts, " 3.	147
	T. Downing, " 3.	158	T. Downing, " 3.		T. Downing, " 3.	209	T. Downing, " 3.		A. M. Marble, " 3.	192

NOTES.—1865-1866:

Feb. 20, 1866.—T. O. Carter to be Constable, Township No. 3, *vice* Chase, resigned.

Aug. 29, 1866.—Dr. J. H. Carothers to be County Coroner.

NOTES.—1866-1867:

May 8, 1867.—James Foster to be Justice of the Peace, Township No. 2, *vice* A. W. Hammit, resigned.

May 9, 1867.—Alex. Byrnes to be Constable, Township No. 2, *vice* Denn, resigned.

NOTES.—1867-1868:

Nov. 4, 1867.—H. M. Stanage to be Justice of the Peace, Township No. 2, *vice* Stevens, removed from county.

Feb. 6, 1868.—C. W. Lander to be Justice of the Peace, Township No. 1, *vice* Dodd, resigned.

Apr. 25, 1868.—R. H. Wright to be Supervisor, Dist. No. 3 (315 votes).

Aug. 4, 1868.—B. R. Holliday to be Public Administrator, *vice* Small.

NOTES.—1868-1869:

Feb. 1, 1869.—L. H. Hastings to be Justice of the Peace, Township No. 2.

Aug. 3, 1869.—J. L. Bromley to be County Assessor, *vice* Mathews, resigned.

NOTES.—1869-1870:

Nov. 2, 1869.—John Slitz to be Justice of the Peace, Township No. 2, *vice* Hastings, resigned.

Nov. 2, 1869.—H. Ashbrook to be Justice of the Peace, Township No. 3, *vice* Hook, deceased.

Nov. 2, 1869.—A. W. Marble to be Constable, Township No. 3, *vice* Carter, resigned.

Feb. 7, 1870.—Thos. Johnson to be Constable, Township No. 2.

May 2, 1870.—L. C. Wittenmyer to be County Clerk, etc., *vice* Markley, deceased.

Table showing the Officers of Contra Costa County, as compiled from the Records of the Court of Sessions and Boards of Supervisors, from 1850 to 1882 inclusive.

Name of Office.	1870–1871.		1871–1872.		1872–1873.		1873–1874.		1874–1875.	
	Name of Holder.	Vote.	Name of Holder.	Vote.	Name of Holder.	Vote.	Name of Holder.	Vote.	Name of Holder.	Vote.
Senator	Jas. J. Green		David Goodale	1093	David Goodale		David Goodale		David Goodale	
Member of Assembly	J. H. Carothers		J. W. Galloway	1019	J. W. Galloway		A. W. Hammitt	770	A. W. Hammitt	
District Judge	S. H. Dwinelle		S. H. Dwinelle	1393	S. H. Dwinelle		S. H. Dwinelle		S. H. Dwinelle	
County Judge	Mark Shepard		C. W. Lander	760	C. W. Lander		C. W. Lander		C. W. Lander	
Superior Judge										
District Attorney	H. Mills		H. Mills	998	H. Mills		H. Mills	812	H. Mills	
County Clerk	L. C. Wittenmyer		Geo. J. Bennett	1003	Geo. J. Bennett		L. C. Wittenmyer	977	L. C. Wittenmyer	
" Recorder	L. C. Wittenmyer		Geo. J. Bennett		Geo. J. Bennett		George J. Bennett	801	Geo. J. Bennett	
" Auditor	L. C. Wittenmyer		Geo. J. Bennett		Geo. J. Bennett		George J. Bennett		Geo. J. Bennett	
" Sheriff	Warren Brown		M. B. Ivory	993	M. B. Ivory		M. B. Ivory	912	M. B. Ivory	
" Tax Collector	J. R. L. Smith		J. R. L. Smith		J. R. L. Smith		M. B. Ivory		M. B. Ivory	
" Treasurer	J. R. L. Smith		J. R. L. Smith	1034	J. R. L. Smith		J. R. L. Smith	848	J. R. L. Smith	
" Assessor	Jas. Foster		Jas. Foster	1097	Jas. Foster		Jas. Foster		Jas. Foster	
" Coroner	C. A. Ruggles		J. H. Livingston	702	J. H. Livingston		J. H. Livingston		J. H. Livingston	
" Surveyor	T. A. Talleyrand		Robert Hunt	983	Robert Hunt		R. Eddy	927	R. Eddy	
" Supt. of Schools	A. Thurber		H. S. Raven	932	H. S. Raven		A. Thurber	776	A. Thurber	
" Pub. Admin'r.	R. R. Brock		R. R. Brock	1059	E. W. Hiller		E. W. Hiller	930	E. W. Hiller	
Associate Justices, Court of Sessions										

Supervisors	John Tormey, Dist. 1.		John Tormey, Dist. 1.		John Tormey, Dist. 1.		John Tormey, Dist. 1.	266	John Tormey, Dist. 1.	
	D. N. Sherburne, " 2.		D. N. Sherburne, " 2.	235	D. N. Sherburne, " 2.		D. N. Sherburne, " 2.		D. N. Sherburne, " 2.	69
	R. H. Wight, " 3.		R. H. Wight, " 3.		Philip Walker, " 3.	370	Geo. P. Loucks, " 3.	121	Geo. P. Loucks, " 3.	
							Philip Walker, " 4.		Philip Walker, " 4.	
							J. C. McMaster, " 5.	168	J. C. McMaster, " 5.	
Justices of the Peace.	H. Allen, Tp. No. 1.		W. H. Ford, Tp. No. 1.	176	W. H. Ford, Tp. No. 1.		W. H. Ford, Tp. No. 1.	191	W. H. Ford, Tp. No. 1.	
	S. C. Wilbur, " 1.		T. D. Palmer, " 1.	194	T. D. Palmer, " 1.		T. D. Palmer, " 1.	161	T. D. Palmer, " 1.	
	John Slitz, " 2.		John Slitz, " 2.	156	John Slitz, " 2.		J. R. Young, " 2.	87	John Slitz, " 2.	
	Chas. Woods, " 2.		Chas. Woods, " 2.	227	Chas. Woods, " 2.		J. J. Kerr, " 2.	160	J. J. Kerr, " 2.	
	D. Mayon, " 3.		D. S. Carpenter, " 3.	387	D. S. Carpenter, " 3.		G. R. Oliver, " 3.	134	G. R. Oliver, " 3.	
	H. Ashbrook, " 3.		J. J. McNulty, " 3.	515	J. J. McNulty, " 3.		Saml. Bacon, " 3.	122	Saml. Bacon, " 3.	
					G. R. Oliver, " 4.		D. S. Carpenter, " 4.	158	D. S. Carpenter, " 4.	
							A. Pray, " 4.	102	Saml. Brown, " 4.	
							D. P. Mahan, " 5.	135	D. P. Mahan, " 5.	
							D. K. Berry, " 5.	146	D. K. Berry, " 5.	
Constables	R. Thompson, Tp. No. 1.		W. A. J. Gift, Tp. No. 1.	130	W. A. J. Gift, Tp. No. 1.		W. A. J. Gift, Tp. No. 1.	211	W. A. J. Gift, Tp. No. 1.	
	W. P. Baldwin, " 1.		W. P. Baldwin, " 1.	225	W. P. Baldwin, " 1.		John Wilcox, " 1.	175	John Wilcox, " 1.	
	Geo. Stone, " 2.		Jas. Hardy, " 2.	209	Thos. Johnson, " 2.		Thos. Johnson, " 2.	146	Thos. Johnson, " 2.	
	Thos. Johnson, " 2.		Thos. Litchfield, " 2.	216	Thos. Litchfield, " 2.		A. Williams, " 2.	183	A. Williams, " 2.	
	E. Roberts, " 3.		Geo. A. Swain, " 3.	259	Geo. A. Swain, " 3.		J. H. Troy, " 3.	187	J. H. Troy, " 3.	
	M. M. Marble, " 3.		Geo. Such, " 3.	344	Geo. Such, " 3.		E. O. Perry, " 3.	132	E. O. Perry, " 3.	
							G. O. Chapman, " 4.	167	G. O. Chapman, " 4.	
							J. S. Perkins, " 5.	205	J. S. Perkins, " 5.	
							Louis Dahoken, " 5.	190	Louis Dahnken, " 5.	

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NOTES.—1870-1871:

Nov. 25, 1870.—Geo. A. Swain to be Constable, Tp. No. 3, *vice* Marble, resigned.

June 12, 1871.—John A. Bronson to be Justice of the Peace, Township No. 1, *vice* Wilbur, deceased.

NOTES.—1871-1872:

Feb. 8, 1872.—Dr. Chas. E. Holbrook to be County Physician.

Mar. 19, 1872.—E. W. Hiller to be Public Administrator, *vice* R. R. Brock, deceased.

June 12, 1872.—G. R. Oliver to be Justice of the Peace, Township No. 4.

July 15, 1872.—Thos. Johnson to be Constable, Tp. No. 2, *vice* Hardy, resigned.

NOTES.—1872-1873:

Feb. 4, 1873.—John G. Chase to be Constable, Tp. No. 3, *vice* Swain, deceased.

Aug. 5, 1873.—J. B. Abbott to be Justice of the Peace, Tp. No. 3, *vice* McNulty.

NOTES.—1873-1874:

Oct. 7, 1873.—John H. Troy to be Constable, Township No. 3, *vice* Such, deceased.

Oct. 7, 1873.—Louis Dahnken to be Constable, Tp. No. 5, *vice* Chase, resigned.

Aug. 5, 1874.—John Slitz to be Justice of the Peace, Tp. No. 2, *vice* Young, resigned.

Aug. 5, 1874.—Saml. Brown to be Justice of the Peace, Township No. 4.

Aug. 5, 1874.—Dr. J. H. Carothers to be County Physician, *vice* Holbrook, resigned.

NOTES.—1874-1875:

Feb. 1, 1875.—L. C. Woods to be Justice of the Peace, Tp. 5, *vice* Berry, absconded.

Table showing the Officers of Contra Costa County, as compiled from the Records of the Court of Sessions and Boards of Supervisors, from 1850 to 1882 inclusive.

Name of Office.	1875–1876.		1876–1877.		1877–1878.		1878–1879.		1879–1880.	
	Name of Holder.	Vote.	Name of Holder.	Vote.	Name of Holder.	Vote.	Name of Holder.	Vote.	Name of Holder.	Vote.
Senator	Paul Shirley	1010	Paul Shirley		Paul Shirley		Paul Shirley		W. H. Sears	1010
Member of Assembly	Charles Wood	1121	Charles Wood		Albert J. Young	1081	Albert J. Young		D. N. Sherburne	1398
District Judge	S. H. Dwinelle		S. H. Dwinelle		S. H. Dwinelle		S. H. Dwinelle			
County Judge	Thos. A. Brown	935	Thos. A. Brown		Thos. A. Brown		Thos. A. Brown			
Superior Judge									Thomas A. Brown	1165
District Attorney	Jos. P. Jones	901	Jos. P. Jones		F. M. Warmeastle	1040	F. M. Warmeastle		Eli R. Chase	1071
County Clerk	L. C. Wittenmyer	959	L. C. Wittenmyer		L. C. Wittenmyer	1038	L. C. Wittenmyer		L. C. Wittenmyer	1171
" Recorder	V. B. Russell	955	V. B. Russell		C. Ed. Miller	1105	C. Ed. Miller		C. Ed. Miller	1020
" Auditor	M. H. Ballhache	977	M. H. Ballhache		C. Ed. Miller		C. Ed. Miller		J. W. Darby	1038
" Sheriff	Fred. Wilkening	1011	Fred. Wilkening		D. P. Mahan	1074	D. P. Mahan		D. P. Mahan	1096
" Tax-Collector	Henry Gallagher	924	Henry Gallagher		D. P. Mahan		D. P. Mahan		Wm. Shuey	1000
" Treasurer	A. Tyler	1121	A. Tyler		R. B. Hathaway	1153	R. B. Hathaway		R. B. Hathaway	1271
" Assessor	Jas. Foster	1011	Jas. Foster		Jas. Foster		Jas. Foster		J. M. Stow	1107
" Coroner	E. W. Hiller		E. W. Hiller		E. W. Hiller		E. W. Hiller		John W. Guy	
" Surveyor	R. M. Jones	1024	R. M. Jones		R. M. Jones	1036	R. M. Jones		R. W. Jones	1389
" Sup. of Schools	A. Thurber	1071	A. Thurber		E. L. Wemple	1039	E. L. Wemple		A. A. Bailey	1075
" Pub. Admin'r.	E. W. Hiller	1009	E. W. Hiller		E. W. Hiller	1008	E. W. Hiller		John W. Guy	
Associate Justices of the Ct. of Sessions										
Supervisors	John Torney, Dist. 1		John Torney, Dist. 1	285	Patrick Tormey, Dist. 1	292	Patrick Tormey, Dist. 1		Patrick Tormey, Dist. 1	283
	D. N. Sherburne, " 2		D. N. Sherburne, " 2		Walter Renwick, " 2	223	Walter Renwick " 2		Walter Renwick, " 2	
	Geo. P. Loucks, " 3	197	Geo. P. Loucks, " 3		Geo. P. Loucks, " 3		W. B. English, " 3	198	W. B. English, " 3	
	Philip Walker, " 4	223	Philip Walker, " 4		Philip Walker, " 4		Philip Walker, " 4	149	Philip Walker, " 4	
	J. C. McMaster, " 5		J. C. McMaster, " 5		J. C. McMaster, " 5		J. C. McMaster, " 5		J. C. McMaster, " 5	306
	W. H. Ford, Tp. No. 1	205	W. H. Ford, Tp. No. 1		W. H. Ford, Tp. No. 1	180	W. H. Ford, Tp. No. 1		W. H. Ford. Tp. No. 1	325
Justices of the Peace	T. D. Palmer, " 1	113	T. D. Palmer, " 1		A. Rumrill, " 1	181	A. Rumrill, " 1		A. Rumrill, " 1	276
	John Slitz, " 2	117	John Slitz, " 2		M. H. Turner, " 2	142	M. H. Turner, " 2		M. H. Turner, " 2	282
	J. J. Kerr, " 2	145	J. J. Kerr, " 2		Henry Shuey, " 2	48	Henry Shuey, " 2		Henry Hurst, " 2	108
	G. R. Oliver, " 3	91	G. R. Oliver, " 3		J. F. Harding, " 3	56	J. F. Harding, " 3		J. F. Harding, " 3	108
	Sam. Bacon, " 3	90	Sam. Bacon, " 3		Sam. Bacon, " 3	118	Sam. Bacon, " 3		R. H. Latimer, " 3	62
	D. S. Carpenter, " 4	216	D. S. Carpenter, " 4		D. S. Carpenter, " 4	217	D. S. Carpenter, " 4		A. W. Wall, " 4	217
	D. S. Woodruff, " 4	202	D. S. Woodruff, " 4		Jas. Rankin, " 4	149	Jas. Rankin, " 4		H. Ingram, " 4	153
	A. Richardson, " 5	86	A. Richardson, " 5		J. E. W. Carey, " 5	154	J. E. W. Carey, " 5		J. P. Abbott, " 5	248
	T. D. Uren, " 5	108	T. D. Uren, " 5		T. D. Uren, " 5	149	T. D. Uren, " 5		H. B. Jewett, " 5	209

Constables.....	W. A. J. Gift, Tp. No. 1.		153	W. A. J. Gift, Tp. No. 1.		....	W. A. J. Gift, Tp. No. 1.		285	W. A. J. Gift, Tp. No. 1.		.....	W. A J Gift, Tp. No. 1.		186
	John Wilcox,	" 1.	180	John Wilcox,	" 1.	.....	David Rowell,	" 1.	163	David Rowell,	" 1.	.....	Jas. Simpson,	" 1.	162
	Thos. Johnson,	" 2.	174	Thos. Johnson,	" 2.	.....	Thos. Johnson,	" 2.	197	Thos. Johnson,	" 2.	.....	F. Sandford,	" 2.	217
	A. Williams,	" 2.	132	A. Williams,	" 2.	.....	W. M. Simpson,	" 2.	265	W. M. Simpson,	" 2.	.....	W. W. Beauchamp,	2.	212
	J. M. Pacheco,	" 3.	268	Alex. Nagel,	" 3.	.....	L. A. Klose,	" 3.	77	C. H. Wells,	" 3.	.....	R. B. Hemming,	" 3.	100
	Henry Wells,	" 3.	175	Henry Wells,	" 3.	.....	Wm. Bevert,	" 3.	162	Wm. Bevert,	" 3.	.....	W. L. Bevert,	" 3.	32
	R. G. Thomas,	" 4.	331	J. B. Jones,	" 4.	.....	Jas. Sharp,	" 4.	232	Jas. Sharp,	" 4.	.....	Thos. M. Williams	" 4.	138
	J. Bendixon,	" 4.	187	J. Bendixon,	" 4.	.....	Wm. Hughes,	" 4.	195	Paul Barclay,	" 4.	.....	H. S. Green,	" 4.	181
	J. G. Gann,	" 5.	151	J. G. Gann,	" 5.	.....	D. M. Pitts,	" 5.	296	D. M. Pitts,	" 5.	.....	D. M. Pitts,	" 5.	337
	A. Moller,	" 5.	108	A. Moller,	" 5.	.....	Thos. Irvin,	" 5.	281	Thos. Irvin,	" 5.	.....	Thos. Irvin,	" 5.	284

NOTES.—1875-1876:

Sept. 6, 1875.—J. M. Pacheco to be Justice of the Peace, Township No. 3.

Jan. 1, 1876.—J. B. Jones to be Constable, Tp. No. 4, *vice* Thomas, deceased.

May 1, 1876.—Alex. Nagel to be Constable, Tp. No. 3, *vice* Pacheco, deceased.

NOTES.—1876-1877:

May 7, 1877.—M. H. Turner to be Justice of the Peace, Township No. 2.

Aug. 6, 1877.—J. C. Sharp to be Constable, Township No. 4, *vice* Jones, resigned.

NOTES.—1877-1878:

Feb. 5, 1878.—C. H. Wells to be Constable, Township No. 3, *vice* Klose, removed from the County.

Aug. 5, 1878.—Paul Barclay to be Constable, Township No. 4, *vice* Hughes, resigned.

NOTES.—1878-1879:

May 6, 1879.—D. S. Woodruff to be Justice of the Peace, Township No. 4, *vice* Rankin, resigned.

NOTES.—1879-1880:

Sept. 16, 1879.—T. A. McMahon to be County Surveyor, *vice* Jones, resigned.

Feb. 25, 1880.—T. A. McMahon to be County Surveyor, *vice* Jones, refused to qualify.

Feb. 25, 1880.—Jas. D. Darby to be County Auditor, *vice* J. W. Darby, deceased.

May 3, 1880.—John McPeake to be Constable, Tp. No. 1, *vice* Simpson, deceased.

May 5, 1880.—W. W. Beauchamp to be Justice of the Peace, Township No. 2, *vice* Hurst, failed to qualify.

June 30, 1880.—D. S. Carpenter to be Justice of the Peace, Township No. 4, *vice* Ingram, resigned.

Sept. 21, 1880.—J. E. W. Carey, to be Justice of the Peace, Township No. 5, *vice* Jewett, resigned.

Table showing the Officers of Contra Costa County, as compiled from the Records of the Court of Sessions and Boards of Supervisors, from 1850 to 1882 inclusive.

Name of Office.	1880—1881.		1881—1882.	
	Name of Holdar.	Vote.	Name of Holder.	Vote.
Senator	W. H. Sears		W. H. Sears	
Member of Assembly	Joseph P. Jones	1263	Joseph P. Jones	
District Judge				
County Judge				
Superior Judge	Thos. A. Brown		Thos. A. Brown	
District Attorney	Eli R. Chase		Eli R. Chase	
County Clerk	L. C. Wittenmyer		L. C. Wittenmyer	
" Recorder	C. Ed. Miller		C. Ed. Miller	
" Auditor	Jas. D. Darby		Jas. D. Darby	
" Sheriff	D. P. Mahan		D. P. Mahan	
" Tax-Collector	Wm. Shuey		D. S. Carpenter	
" Treasurer	R. B. Hathaway		R. B. Hathaway	
" Assessor	J. M. Stow		J. M. Stow	
" Coroner	John W. Guy		John W. Guy	
" Surveyor	T. A. McMahon		T. A. McMahon	
" Superintendent of Schools	A. A Bailey		A. A. Bailey	
" Public Administrator	John W. Guy		John W. Guy	
Associate Justices of the Court of Sessions				

Supervisors	Patrick Tormey	District No.	1		Patrick Tormey	District No.	1	
	D. N. Sherburne	"	2	236	D. N. Sherburne	"	2	
	Warren B. English	"	3		Warren B. English	"	3	
	Philip Walker	"	4		Philip Walker	"	4	
	J. C. McMaster	"	5		J. C. McMaster	"	5	
Justices of the Peace	W. H. Ford	Township No.	1	128	M. H. Bailhache	Township No.	1	
	M. H. Turner	"	1	146	A. Rumrill	"	1	
	Chas. Wood	"	2	98	M. H. Turner	"	2	
					S. F. Ramage	"	2	
	H. J. Wilson	"	3	2	H. J. Wilson	"	3	
					J. F. Harding	"	3	
	Robert Hastie	"	4	49	Robert Hastie	"	4	
					A. W. Wall	"	4	
	R. Shipley	"	5	218	J. P. Abbott	"	5	
					J. E. W. Carey	"	5	
Constables	W. A. J. Gift	"	1		W. A. J. Gift	"	1	
	John McPeake	"	1		John McPeake	"	1	
	F. Sandford	"	2		F. Sandford	"	2	
		"	3				2	
	R. B. Hemming	"	3		R. B. Hemming	"	3	
	W. L. Bevert	"	3		W. L. Bevert	"	3	
	Thos. M. Williams	"	4		Thos. M. Williams	"	4	
	H. S. Green	"	4		H. S. Green	"	4	
	D. M. Pitts	"	5		D. M. Pitts	"	5	
	Thos. Ervin	"	5		Chas. Peers	"	5	
					J. M. Seehan	Jud. "	6	

NOTES.—1880-1881:

Jan. 12, 1881.—A Rumrill to be Justice of the Peace, Township No. 1.

Jan. 12, 1881.—S. F. Ramage to be Justice of the Peace, Township No. 2, *vice* Wood, failed to qualify.

Jan. 12, 1881.—J. F. Harding to be Justice of the Peace, Township No. 3.

Jan. 12, 1881.—A. W. Wall to be Justice of the Peace, Township No. 4.

Jan. 12, 1881.—J. P. Abbott to be Justice of the Peace, Township No. 5, *vice* Shipley, removed from the county.

NOTES—1880-1881:

Jan. 12, 1881.—J. E. W. Carey to be Justice of the Peace, Township No. 5.

Feb. 7, 1881.—M. H. Bailhache to be Justice of the Peace, Township No. 1, *vice* Ford, deceased.

May 2, 1881.—J. M. Seehan to be Constable, Judicial Township No. 6.

Oct. 3, 1881.—D. S. Carpenter to be County Tax Collector, *vice* Shuey, deceased.

Nov. 9, 1881.—Chas. Peers to be Constable, Township No. 5, *vice* Ervin, resigned.

MEXICAN GRANTS.

Rancho Monte del Diablo—Rancho Laguna de Palos Colorados—Rancho San Pablo—Rancho Arroyo de las Nueces y Bolbones—Rancho Medanos—El Sobrante—Rancho Los Meganos—Rancho Acalanes—Canada de los Vaqueros—Las Juntas—Rancho San Ramon—Canada del Hambre—Las Bolsas del Hambre—Pinole—Boca de Canada del Pinole.

THE subject of the tenure of land in California is one which is so little understood, that it has been deemed best to quote at length the following report on the subject of land titles in California, made in pursuance of instructions from the Secretary of State and the Secretary of the Interior, by William Carey Jones, published in Washington in the year 1850—a more exhaustive document it would be difficult to find.

On July 12, 1849, Mr. Jones had been appointed a "confidential agent of the Government, to proceed to Mexico and California, for the purpose of procuring information as to the condition of land titles in California." Pursuant to these instructions he embarked from New York on the 17th July; arriving at Chagres on the 29th, he at once proceeded to Panama, but got no opportunity, until that day month, of proceeding on his journey to this State. At length, on September 19th, he arrived at Monterey, the then capital of California. After visiting San José and San Francisco, he returned to Monterey, and there made arrangements for going by land to Los Angeles and San Diego, but finding this scheme impracticable on account of the rainy season, he made the voyage by steamer. On December 7th he left San Diego for Acapulco in Mexico, where he arrived on the 24th; on the 11th he left that city, and on the 18th embarked from Vera Cruz for Mobile.

We now commence his report, believing that so able a document will prove of interest to the reader:

I.

TO THE MODE OF CREATING TITLES TO LAND, FROM THE FIRST INCEPTION TO THE PERFECT TITLE, AS PRACTICED BY MEXICO WITHIN THE PROVINCE OF CALIFORNIA.

All the grants of land made in California (except pueblo or village lots, and except, perhaps, some grants north of the Bay of San Francisco, as will be hereafter noticed), subsequent to the independence of Mexico, and after

the establishment of that government in California, were made by the different political governors. The great majority of them were made subsequent to January, 1832, and consequently under the Mexican Colonization Law of August 18, 1824, and the government regulations, adopted in pursuance of the law dated November 21, 1828. In January, 1832, General José Figueroa became Governor of the then territory of California, under a commission from the government at Mexico, replacing Victoria, who, after having the year before displaced Echandrea, was himself driven out by a revolution. The installation of Figueroa restored quiet, after ten years of civil commotion, and was at a time when Mexico was making vigorous efforts to reduce and populate her distant territories, and consequently granting lands on a liberal scale. In the act of 1824, a league square (being 4,428 $\frac{402}{1000}$ acres) is the smallest measurement of rural property spoken of; and of these leagues square, eleven (or nearly fifty thousand acres) might be conceded in a grant to one individual. By this law the *States* composing the federation were authorized to make special provision for colonization within their respective limits, and the colonization of the *territories*, "conformably to the principles of law" charged upon the Central Government. California was of the latter description, being designated a Territory in the *Acta Constitutiva* of the Mexican Federation, adopted January 31, 1824, and by the Constitution adopted 4th October of the same year.*

The colonization of California and granting lands therein, was, therefore, subsequent to the law of August 18, 1824, under the direction and control of the Central Government. That government, as already stated, gave regulations for the same November 21, 1828.

The directions were very simple. They gave the governors of the territories the exclusive faculty of making grants within the terms of the law —that is, to the extent of eleven leagues, or *sitios*, to individuals; and colonization grants (more properly *contracts*)—that is, grants of larger tracts to *empresarios*, or persons who should undertake, for a consideration in land, to bring families to the country for the purpose of colonization. Grants of the first description, that is, to families or single persons, and not exceeding eleven *sitios*, were "not to be held definitely valid," until sanctioned by the *Territorial Deputation*. Those of the second class, that is, *empresario* or colonization grants (or contracts) required a like sanction by the *Supreme Government*. In case the concurrence of the Deputation was refused to a grant of the first mentioned class, the Governor should appeal, in favor of the grantee, from the Assembly to the Supreme Government.

* The political condition of California was changed by the Constitution of 28th December, and act for the division of the Republic into Departments of December 30, 1836. The two Californias then became *a Department*, the confederation being broken up and the States reduced to Departments. The same colonization system, however, seems to have continued in California.

The "*first inception*" of the claim, pursuant to the regulations, and as practiced in California, was a petition to the Governor, praying for the grant, specifying usually the quantity of land asked, and designating its position, with some descriptive object or boundary, and also stating the age, country and vocation of the petitioner. Sometimes, also, (generally at the commencement of this system) a rude *map* or *plan* of the required grant, showing its shape and position, with reference to other tracts, or to natural objects, was presented with the petition. This practice, however, was gradually disused, and few of the grants made in late years have any other than a verbal description.

The next step was usually a reference of the petition, made on the margin by the Governor, to the prefect of the district, or other near local officer where the land petitioned for was situated, to know if it was vacant, and could be granted without injury to third persons or the public, and sometimes to know if the petitioner's account of himself was true. The reply (*informe*) of the prefect, or other officer, was written upon or attached to the petition, and the whole returned to the Governor. The reply being satisfactory, the Governor then issued the grant in form. On its receipt, or before, (often before the petition, even,) the party went into possession. It was not unfrequent, of late years, to omit the formality of sending the petition to the local authorities, and it was never requisite, if the Governor already possessed the necessary information concerning the land and the parties. In that case the grant followed immediately on the petition. Again, it sometimes happened that the reply of the local authority was not explicit, or that third persons intervened, and the grant was thus for some time delayed. With these qualifications, and covering the great majority of cases, the practice may be said to have been: 1. The petition; 2. The reference to the prefect or alcalde; 3. His report, or *informe;* 4. the grant from the Governor.

"*When filed, and how, and by whom recorded.*"

The *originals* of the petition and *informe*, and any other preliminary papers in the case, were filed, by the secretary, in the government archives, and with them a *copy* (the original being delivered to the grantee) of the grant; the whole attached together so as to form one document, entitled, collectively, an *expediente*. During the governorship of Figueroa, and some of his successors, that is, from May 22, 1833, to May 9, 1836, the grants were likewise *recorded* in a book kept for that purpose (as prescribed in the "regulations" above referred to) in the archives. Subsequent to that time there was no *record*, but a brief memorandum of the grant; the *expediente*, however, being still filed. Grants were also sometimes registered in the office of the prefect of the district where the lands lay; but the practice was not constant, nor the record generally in permanent form.

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The next, and final step in the title was the approval of the grant by the Territorial Deputation (that is, the local legislature, afterward, when the territory was created into a Department, called the "Departmental Assembly.") For this purpose, it was the Governor's office to communicate the fact of the grant, and all information concerning it, to the Assembly. It was here referred to a committee (sometimes called a committee on vacant lands, sometimes on agriculture), who reported at a subsequent sitting. The approval was seldom refused; but there are many instances where the Governor omitted to communicate the grant to the Assembly, and it consequently remained unacted on. The approval of the Assembly obtained, it was usual for the secretary to deliver to the grantee, on application, a certificate of the fact; but no other record or registration of it was kept than the written proceedings of the Assembly. There are no doubt instances, therefore, where the approval was in fact obtained, but a certificate not applied for, and as the journals of the Assembly, now remaining in the archives, are very imperfect, it can hardly be doubted that many grants have received the approval of the Assembly, and no record of the fact now exists. Many grants were passed upon and approved by the Assembly in the Winter and Spring of 1846, as I discovered by loose memoranda, apparently made by the clerk of the Assembly for future entry, and referring to the grants by their numbers—sometimes a dozen or more on a single small piece of paper, but of which I could find no other record.

"*So, also with the subsequent steps, embracing the proceedings as to survey, up to the perfecting of the title.*"

There were not, as far as I could learn, any regular surveys made of grants in California up to the time of the cessation of the former government. There was no public or authorized surveyor in the country. The grants usually contained a direction that the grantee should receive judicial possession of the land from the proper magistrate (usually the nearest alcalde), in virtue of the grant, and that the boundaries of the tract should then be designated by that functionary with "suitable land marks." But this injunction was usually complied with, only by procuring the attendance of the magistrate, to give judicial possession according to the verbal description contained in the grant. Some of the old grants have been subsequently surveyed, as I was informed, by a surveyor under appointment of Col. Mason, acting as Governor of California. I did not see any official record of such surveys, or understand that there was any. The "*perfecting of the title*" I suppose to have been accomplished when the grant received the concurrence of the Assembly; all provisions of the law, and of the colonization regulations of the Supreme Government, pre-requisites to the title being "definitely valid," having been fulfilled. These, I think, must be counted *complete titles.*

"*And if there be any more books, files or archives of any kind whatsoever, showing the nature, character and extent of these grants.*"

The following list comprises the books of record and memoranda of grants, which I found existing in the government archives at Monterey:

1. "1828. Cuaderno del registro de los sitios, fierras y señales que posean los habitantes del territorio de la Nueva California." [Book of registration of the farms, brands, and marks (for marking cattle), possessed by the inhabitants of the territory of New California.]

This book contains information of the situation, boundaries and appurtenances of several of the missions, as hereafter noticed; of two pueblos, San José and Branciforte, and the records of about twenty grants, made by various Spanish, Mexican and local authorities, at different times, between 1784 and 1825, and two dated 1829. This book appears to have been arranged upon information obtained in an endeavor of the government to procure a registration of all the occupied lands of the territory.

2. Book marked "Titulos."

This book contains records of grants, numbered from one to one hundred and eight, of various dates, from May 22, 1833, to May 9, 1836, by the successive Governors, Figueroa, José Castro, Nicholas Gutierrez and Mariano Chico. A part of these grants (probably all) are included in a file of *expedientes* of grants hereafter described, marked from number one to number five hundred and seventy-nine; but the numbers in the book do not correspond with the numbers of the same grants in the *expedientes*.

3. "Libro donde se asciertan los despachos de terrenos adjudicados en los años de 1839 y 1840." (Book denoting the concessions of land adjudicated in the years 1839 and 1840.)

This book contains a brief entry, by the secretary of the department of grants, including their numbers, dates, names of the grantees and of the grants, quantity granted, and situation of the land, usually entered in the book in the order they were conceded. This book contains the grants made from January 18, 1839, to December 8, 1843, inclusive.

4. A book similar to the above, and containing like entries of grants issued between January 8, 1844, and December 23, 1845.

5. File of *expedientes* of grants—that is, all the proceedings (except of the Assembly) relating to the respective grants, secured, those of each grant in a separate parcel, and marked and labeled with its number and name. The file is marked from No. 1 to No. 579 inclusive, and embraces the space of time between May 13, 1833, to July, 1846. The numbers, however, bear little relation to the dates. Some numbers are missing, of some there are duplicates—that is, two distinct grants with the same number. The *expedientes* are not all complete; in some cases the final grant appears to have

been refused; in others it is wanting. The collection, however, is evidently intended to represent estates which have been granted, and it is probable that in many, or most instances, the ommission apparent in the archives is supplied by original documents in the hands of the parties, or by long permitted occupation. These embrace all the record books and files belonging to the territorial, or departmental archives, which I was able to discover.

I am assured, however, by Mr. J. C. Fremont, that according to the best of his recollection, a book for the year 1846, corresponding to those noticed above, extending from 1839 to the end of 1845, existed in the archives while he was Governor of California, and was with them when he delivered them in May, 1847, to the officer appointed by General Kearny to receive them from him at Monterey.

II.

CHIEFLY THE LARGE GRANTS, AS THE MISSIONS, AND WHETHER THE TITLE TO THEM BE IN ASSIGNEES, OR WHETHER THEY HAVE REVERTED, AND VESTED IN THE SOVEREIGN?

I took much pains both in California and Mexico, to assure myself of the situation, in a legal and proprietary point of view, of the former great establishments known as the MISSIONS of California. It had been supposed that the lands they occupied were *grants*, held as the property of the church, or of the mission establishments as corporations. Such, however, was not the case. All the missions in Upper California were established under the direction and mainly at the expense of the Government, and the missionaries there had never any other rights than the occupation and use of the lands for the purpose of the missions, and at the pleasure of the Government. This is shown by the history and principles of their foundation, by the laws in relation to them, by the constant practice of the Government toward them, and, in fact, by the rules of the Franciscan order, which forbids its members to possess property.

The establishment of missions in remote provinces was a part of the colonial system of Spain. The Jesuits, by a license from the Viceroy of New Spain, commenced in this manner the reduction of Lower California in the year 1697. They continued in the spiritual charge, and in a considerable degree of the temporal government of that province until 1767, when the royal decree abolishing the Jesuit order throughout New Spain was there enforced, and the missions taken out of their hands. They had then founded fifteen missions, extending from Cape St. Lucas nearly to the head of the sea of Cortez, or Californian gulf. Three of the establishments had been suppressed by order of the Viceroy; the remainder were now put in charge of the Franciscan monks of the college of San Fernando, in Mexico, hence sometimes called "*Fernandinos*." The prefect of that college, the Rev. Father Junipero Serra, proceeded in person to his new charge, and arrived with a number of monks at Loreto, the capital of the peninsula, the

following year (1768). He was there, soon after, joined by Don José Galvez, Inspector-General (*visitador*), of New Spain, who brought an order from the King, directing the founding of one or more settlements in Upper California. It was therefore agreed that Father Junipero should extend the mission establishments into Upper California, under the protection of *presidios* (armed posts) which the government would establish at San Diego and Monterey. Two expeditions, both accompanied by missionaries, were consequently fitted out, one to proceed by sea, the other by land, to the new territory. In June, 1769, they had arrived, and in that month founded the first mission about two leagues from the port of San Diego. A *presidio* was established at the same time near the port. The same year a *presidio* was established at Monterey, and a mission establishment begun. Subsequently the Dominican friars obtained leave from the King to take charge of a part of the missions of California, which led to an arrangement between the two societies, whereby the missions of Lower California were committed to the Dominicans, and the entire field of the upper province remained to the Franciscans. This arrangement was sanctioned by the political authority, and continues to the present time. The new establishments flourished and rapidly augmented their numbers, occupying first the space between San Diego and Monterey, and subsequently extending to the northward. A report from the Viceroy to the King, dated Mexico, December 27, 1793, gives the following account of the number, time of establishment, and locality of the missions existing in New California at that period:

NO.	MISSIONS.	SITUATION.	WHEN FOUNDED.
1..	San Diego de Alcala	Lat. 32° 42′	July 16, 1769.
2..	San Carlos de Monterey	" 36 33	June 3, 1770.
3..	San Antonio de Padua.....	" 36 34	July 14, 1771.
4..	San Gabriel de los Temblores.....	" 34 10	September 8, 1771.
5..	San Luis Obispo.....	" 31 38	September 1, 1772.
6..	San Francisco (Dolores).....	" 37 56	October 9, 1776.
7..	San Juan Capistrano.....	" 33 30	November 1, 1776.
8..	Santa Clara.....	" 37 00	January 18, 1777.
9..	San Buenaventura.....	" 34 36	March 31, 1782.
10..	Santa Barbara	" 34 28	October 4, 1786.
11..	Purisima Conception	" 35 32	January 8, 1787.
12..	Santa Cruz	" 36 58	August 28, 1791.
13..	La Soledad	" 36 38	October 9, 1791.

At first the missions nominally occupied the whole territory, except the four small military posts of San Diego, Santa Barbara, Monterey and San Francisco; that is, the limits of one mission were said to cover the intervening space to the limits of the next; and there were no other occupants except the wild Indians, whose reduction and conversion were the objects

of the establishments. The Indians, as fast as they were reduced, were trained to labor in the missions, and lived either within its walls or in small villages near by, under the spiritual and temporal direction of the priests, but the whole under the political control of the Governor of the province, who decided contested questions of right or policy, whether between different missions, between missions and individuals, or concerning the Indians. Soon, however, grants of land began to be made to individuals, especially to retired soldiers, who received special favor in the distant colonies of Spain, and became the settlers and the founders of the country they had reduced and protected. Some settlers were also brought from the neighboring provinces of Sonora and Sinaloa, and the towns of San José, at the head of the Bay of San Francisco, and of Los Angeles, eight leagues from the port of San Pedro, were early founded. The Governor exercised the privilege of making concessions of large tracts, and the captains of the presidios were authorized to grant building lots and small tracts for gardens and farms within the distance of two leagues from the presidios. By these means the mission tracts began respectively to have something like known boundaries, though the lands they thus occupied were still not viewed in any light as the property of the missionaries, but as the domain of the crown, appropriated to the use of the missions while the state of the country should require it, and at the pleasure of the political authority.

It was the custom throughout New Spain (and other parts of the Spanish colonies also) to secularize or to subvert the mission establishments, at the discretion of the ruling political functionary; and this not as an act of arbitrary power, but in the exercise of an acknowledged ownership and authority. The great establishments of Sonora, I have been told, were divided between white settlements and settlements of the Indian pupils, or neophytes of the establishments. In Texas the missions were broken up, the Indians were dispersed, and the lands have been granted to white settlers. In New Mexico, I am led to suppose, the Indian pupils of the missions, or their descendants, still in great part occupy the old establishments; and other parts are occupied by white settlers in virtue of grants and sales.* The undisputed exercise of this authority over all the mission establishments, and whatever property was pertinent to them, is certain.

The liability of the missions of Upper California, however, to be thus dealt with at the pleasure of the Government, does not rest only on the argument to be drawn from this constant and uniform practice. It was

* Since writing the above, I have learned from the Hon. Mr. Smith, Delegate from the Territory of New Mexico, that the portion of each of the former mission establishments which has been allotted to the Indians is *one league square*. They hold the land, as a general rule, in community, and on condition of supporting a priest and maintaining divine worship. This portion and these conditions are conformable to the principles of the Spanish laws concerning the allotments of Indian villages. Some interesting particulars of the foundation, progress and plan of the missions of New Mexico are contained in the report, or information, before quoted, of 1793, from the Viceroy to the King of Spain, and in extracts from it given in the papers accompanying this report.

inherent in their foundation—a condition of their establishment. A belief has prevailed, and it is so stated in all the works I have examined which treat historically of the missions of that country, that the first act which looked to their secularization, and especially the first act by which any authority was conferred on the local government for that purpose, or over their temporalities, was an Act of the Mexican Congress of August 17, 1833. Such, however, was not the case. Their secularization—their subversion—was looked for in their foundation; and I do not perceive that the local authority (certainly not the supreme authority) has ever been without that lawful jurisdiction over them, unless subsequent to the colonization regulations of November 21, 1828, which temporarily exempted mission lands from colonization. I quote from a letter of "Instructions to the commandant of the new establishments of San Diego and Monterey," given by Viceroy Bucareli, August 17, 1773:

"ART. 15. When it shall happen that a mission is to be formed into a pueblo (or village) the commandant will proceed to reduce it to the civil and economical government, which, according to the laws, is observed by other villages of this kingdom; then giving it a name, and declaring for its patron the saint under whose memory and protection the mission was founded." (Cuando llegue el caso de que haya de formarse en el pueblo una mision, procederá el comandante á reducirlo al gobierno civil y económico que observan, segun las leyes, los demas de este reino; poniéndole nombre entonces, y declarándole por su titular el santo bajo cuya memoria y venerable proteccion se fundó la mision.)

The right then, to remodel these establishments at pleasure, and convert them into towns and villages, subject to the known policy and laws which governed settlements of that description,* we see was a principal of their foundation. Articles 7 and 10 of the same letter of instructions, show us also that it was a part of the *plan* of the missions that their condition should thus be changed; that they were regarded only as the nucleus and basis of communities to be thereafter emancipated, acquire proprietary rights, and administer their own affairs; and that it was the duty of the governor to choose their sites, and direct the construction and arrangement of their edifices, with a view to their convenient expansion into towns and cities. And not only was this general revolution of the establishments thus early contemplated and provided for, but meantime the governor had authority to reduce their possessions by grants within and without, and to change their condition by detail. The same series of instructions authorized the

* A revolution more than equal to the modern *secularization*, since the latter only necessarily implies the turning over of the temporal concerns of the missions to secular administration. Their conversion into pueblos would take from the missions all semblance in organization to their originals, and include the reduction of the missionary priests from the heads of great establishments and administrators of large temporalities, to parish curates; a change quite inconsistent with the existence in the priests or the church of any proprietary interest or right over the establishment.

governor to grant lands, either in community or individually, to the Indians of the missions, in and about their settlements on the mission lands, and also to make grants to settlements of white persons. The governor was likewise authorized at an early day to make grants to soldiers who should marry Indian women trained in the missions; and the first grant (and only one I found of record) under this authorization, was of a tract near the mission edifice of Carmel, near Monterey. The authorization given to the captains of *presidios* to grant lands within two leagues of their posts, expressly restrains them within that distance, so as to leave the territory beyond—though all beyond was nominally attached to one or other of the missions—at the disposition of the superior guardians of the royal property. In brief, every fact, every act of government and principle of law applicable to the case, which I have met in this investigation, go to show that the missions of Upper California were never, from the first, reckoned other than government establishments, or the founding of them to work any change in the ownership of the soil, which continued in and at the disposal of the crown, or its representatives. This position was also confirmed, if had it needed any confirmation, by the opinions of high legal and official authorities in Mexico. The missions—speaking collectively of priests and pupils—had the *usufruct*; the priests the administration of it; the whole resumable, or otherwise disposable, at the will of the crown or its representatives.

The object of the missions was to aid in the settlement and pacification of the country, and to convert the natives to Christianity. This accomplished, settlements of white people established, and the Indians domiciliated in villages, so as to subject them to the ordinary magistrates, and the spiritual care of the ordinary clergy, the *missionary* labor was considered fulfilled, and the establishment subject to be dissolved or removed. This view of their purposes and destiny fully appears in the tenor of the decree of the Spanish Cortes of September 13, 1813.*

The provisions of that Act, and the reason given for it, develop in fact the whole theory of the mission establishments. It was passed "in consequence of a complaint by the Bishop elect of Guiana of the evils that afflicted that province, on account of the Indian settlements in charge of missions not being delivered to the ecclesiastical ordinary, though thirty, forty and fifty years had passed since the reduction and conversion of the Indians." The Cortes therefore decreed:—

1. That all the new *reducciones y doctrinas* (that is, settlements of Indians newly converted, and not yet formed into parishes), of the provinces beyond the sea, which were in charge of missionary monks, and had been ten years subjected, should be delivered immediately to the respective ecclesiastical ordinaries (bishops), "without resort to any excuse or pretext, conformably to the laws and cedulas in that respect."

* "Collection of Decrees of the Spanish Cortes, reputed in force in Mexico." Mexico, 1829. Page 106.

2. That as well these missions (*doctrinas*) as all others which should be erected into curacies, should be canonically provided by the said ordinaries (observing the laws and cedulas of the royal right of patronage) with fit ministers of the secular clergy.

3. That the missionary monks, relieved from the converted settlements, which should be delivered to the ordinary, should apply themselves to the extension of religion in benefit of the inhabitants of other wilderness parts, proceeding in the exercise of their missions conformably to the directions of paragragh 10, Article 335, of the Constitution.*

4. That the missionary monks should discontinue immediately the government and administration of the property of the Indians, who should choose by means of their *ayuntamientos*, with intervention of the superior political authority, persons among themselves competent to administer it; the lands being distributed and reduced to private ownership, in accordance with the decree of January 4, 1813, on reducing vacant and other lands to private property.†"

It has also been supposed that the Act above alluded to of the Mexican Congress (Act of August 17, 1833) was the first assertion by the Mexican Government of property in the missions, or that they by that Act first became (or came to be considered) national domain. But this is likewise an error. The Mexican Government has always asserted the right of property over all the missions of the country, and I do not think that the supposition has ever been raised in Mexico, that they were the property of the missionaries or the Church.

The General Congress of Mexico, in decree of August 14, 1824, concerning the public revenue, declares the estates of the inquisition, as well as all temporalities, to be the property of the nation (that is, no doubt, in contradistinction from property of the States—making no question of their being public property). This term would include not only the mission establishments, but all rents, profits and income the monks received from them. A like Act of July 7, 1831, again embraces the estates of the inquisition and

*The following is the clause referred to, namely, paragraph 10, Article 335, Constitution of the Spanish Monarchy, 1812:

"The provincial councils of the provinces beyond sea shall attend to the order, economy, and progress of the missions for the conversion of infidel Indians, and to the prevention of abuses in that branch of administration. The commissioners of such missions shall render their accounts to them, which accounts they shall in their turn forward to the Government."

This clause of itself settles the character of these establishmeuts as a branch of the public administration.

† "Collection of Decrees of the Spanish Cortes," etc., p. 56. This decree provides:

1. That "all the vacant or royal lands and town reservations (*propios y arbitrios*, lands reserved in and about towns and cities for the municipal revenue), both in the peninsula and islands adjacent, and in the provinces beyond sea, except such commons as may be necessary for the villages, shall be converted into private property; provided, that in regard to town reservations, some annual rents shall be reserved."

2. That "in whatever mode these lands were distributed, it should be in full and exclusive ownership, so that their owners may enclose them (without prejudice of paths, crossings, watering-places and servitudes), to enjoy them freely and exclusively, and destine them to such use or cultivation as they may be best adapted to; but without the owners ever being able to entail them or to transfer them, at any time or by any title, in *mortmain*."

3. "In the transfer of these lands shall be preferred the inhabitants of the villages (or settlements) in the neighborhood where they exist and who enjoyed the same in common whilst they were vacant."

temporalities as national property, and places them with "other rural and suburban estates" under charge of a director-general. The executive regulations for colonizing the territories may raise an idea of territorial and native property in them, but it puts out of the question any proprietary rights in the missionaries.

The seventeenth article of these regulations (executive regulations for colonization of the territories, adopted November 21, 1828) relates to the missions, and directs that "In those territories where there are missions, the lands which they occupy shall not at present be colonized, nor until it be determined if they ought to be considered as property of the settlements of the neophyte catechumens and Mexican settlers."

The subsequent acts and measures of the general Government of Mexico, in direct reference to missions, and affecting those of California, are briefly as follows:

A decree of the Mexican Congress of November 20, 1833, in part analogous to the decree before quoted of the Spanish Cortes of September, 1813, directing their general secularization, and containing these provisions:

1. The Government shall proceed to secularize the missions of Upper and Lower California.

2. In each of said missions shall be established a parish, served by a curate of the secular clergy, with a dotation of two thousand to two thousand five hundred dollars, at the discretion of the Government.

4. The mission churches, with the sacred vessels and ornaments, shall be devoted to the use of the parish.

5. For each parish the Government shall direct the construction of a cemetery outside of the village.

7. Of the buildings belonging to each mission, the most fitting shall be selected for the dwelling of the curate, with a lot of ground not exceeding two hundred varas square, and the others appropriated for a municipal house and schools.

On December 2, 1833, a decree was published to the following effect:

"The Government is authorized to take all measures that may assure the colonization and make effective the secularization of the missions of Upper and Lower California, being empowered to this effect to use, in the manner most expedient, the *de fincas de obras pias* (property of the piety fund) of those territories, to aid the transportation of the commission and families who are now in this capital destined thither."

The commission and emigrants, spoken of in this circular, were a colony under the charge of Don José Maria Hijar, who was sent out the following Spring (of 1834) as director of colonization, with instructions to the following effect: That he should "make beginning by occupying all the property pertinent to the missions of both Californias," that in the settlements he

formed, special care should be taken to include the indigenous (Indian) population, mixing them with the other inhabitants, and not permitting any settlement of Indians alone; that topographical plans should be made of the squares which were to compose the villages, and in each square building lots to be distributed to the colonist families; that outside of the villages there should be distributed to each family of colonists, in full dominion and ownership, four caballerias* of irrigable land, or eight, if dependent on the seasons, or sixteen, if adapted to stock raising, and also live stock and agricultural implements; that this distribution made, (out of the movable property of the mission) one-half the remainder of said property should be sold, and the other half reserved on account of government, and applied to the expenses of worship, maintenance of the missionaries, support of schools, and the purchase of agricultural implements for gratuitous distribution to the colonists.

On April 16, 1834, the Mexican Congress passed an Act to the following effect:

1. That all the missions in the Republic shall be secularized.
2. That the missions shall be converted into curacies, whose limits shall be demarked by the governors of the States where said missions exist.
3. This decree shall take effect within four months from the day of its publication.

November 7, 1835, an Act of the Mexican Congress directed that "the curates mentioned in the second article of the law of August 17, 1833, (above quoted), should take possession, the government should suspend the execution of the other articles, and maintain things in the condition they were before said law."

I have, so far, referred to these various legislative and governmental acts in relation to the missions, only to show, beyond equivocation or doubt, the relation in which the government stood toward them, and the rights of ownership which it exercised over them. My attention was next directed to the changes that had taken place in the condition of those establishments, under the various provisions for their secularization and conversion into private property.

Under the act of the Spanish Cortes of September, 1813, all the missions in New Spain were liable to be secularized; that is, their temporalities delivered to lay administration; their character as *missions* taken away by their conversion into parishes under charge of the secular clergy; and the lands pertinent to them to be disposed of as other public domain. The question of putting this law in operation with regard to the missions in California was at various times agitated in that province, and in 1830 the then Governor, Echandrea, published a project for the purpose, but which

* A *caballeria* of land is a rectangular parallelogram of 552 varas by 1,104 varas.

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was defeated by the arrival of a new Governor, Victoria, almost at the instant the plan was made public. Victoria revoked the decree of his predecessor, and restored the missionaries to the charge of the establishments, and in their authority over the Indians.

Subsequent to that time, and previous to the act of secularization of August, 1833, nothing further to that end appears to have been done in California. Under that act, the first step taken by the Central Government was the expedition of Hijar, above noticed. But the instructions delivered to him were not fulfilled. Hijar had been appointed Governor of California, as well as Director of Colonization, with directions to relieve Governor Figueroa. After Hijar's departure from Mexico, however, a revolution in the Supreme Government induced Hijar's appointment as political Governor to be revoked; and an express was sent to California to announce this change, and with directions to Figueroa to continue in charge of the governorship. The courier arrived in advance of Hijar, who found himself on landing (in September, 1834,) deprived of the principal authority he had expected to exercise. Before consenting to coöperate with Hijar in the latter's instructions concerning the missions, Figueroa consulted the Territorial Deputation. That body protested against the delivery of the vast property included in the mission estates—and to a settlement in which the Indian pupils had undoubtedly an equitable claim—into Hijar's possession, and contested that his authority in the matter of the missions depended on his commission as Governor, which had been revoked, and not on his appointment (unknown to the law) as Director of Colonization. As a conclusion to the contestation which followed, the Governor and Assembly suspended Hijar from the last-mentioned appointment, and returned him to Mexico.*

Figueroa, however, had already adopted (in August, 1834,) a project of secularization, which he denominates a "Provisional Regulation." It provided that the missions should be converted partially into pueblos, or villages, with a distribution of lands and movable property as follows: To each individual head of a family, over twenty-five years of age, a lot of ground, not exceeding four hundred nor less than one hundred varas square, in the common lands of the mission, with a sufficient quantity in common for pasturage of the cattle of the village, and also commons and lands for municipal uses; likewise, among the same individuals, one-half of the live stock, grain, and agricultural implements of the mission; that the remainder of the lands, unmovable property, stock, and other effects, should be in charge of mayor domos, or other persons appointed by the Governor, subject to confirmation by the general government; that from this common mass should be provided the maintenance of the priest, and expenses of religious

* Manifesto a la Republica Mejicana, que hace el General José Figueroa, comandante general y gefe politico de la Alta California. Monterey, 1835.

service, and the temporal expenses of the mission; that the minister should choose a place in the mission for his dwelling; that the emancipated Indians should unite in common labors for the cultivation of the vineyards, gardens and field lands, which should remain undivided until the determination of the Supreme Government; that the donees, under the regulation, should not sell, burthen, or transfer their grants, either of land or cattle, under any pretext; and any contracts to this effect should be null, the property reverting to the nation, the purchaser losing his money; that lands, the donee of which might die without leaving heirs, should revert to the nation; that *rancherias* (hamlets of Indians) situated at a distance from the missions, and which exceeded twenty-five families, might form separate pueblos, under the same rules as the principal one. This regulation was to begin with *ten* of the missions (without specifying them) and successively to be applied to the remaining ones.

The Deputation, in session of the 3d of November of the same year (1834), made provision for dividing the missions and other settlements into parishes or curacies, according to the law of August, 1833, authorized the missionary priests to exercise the functions of curates, until curates of the secular clergy should arrive, and provided for their salaries and expenses of worship. No change was made in this act, in the regulations established by Governor Figueroa, for the distribution and management of the property.

Accordingly, for most or all of the missions, administrators were appointed by the Governor; and in some, but not all, partial distributions of the lands and movable property were made, according to the tenor of the regulation. From this time, however, all tracts of lands pertinent to the missions, but not directly attached to the mission buildings, were granted as any other lands of the territory, to the Mexican inhabitants, and to colonists, for stock farms and tillage.

The act of the Mexican Congress of 1835, directing the execution of the decree of 1833 to be suspended until the arrival of curates, did not, as far as I could ascertain, induce any change in the policy already adopted by the territorial authorities.

On January 17, 1839, Governor Alvarado issued regulations for the government of the administrators of the missions. These regulations prohibited the administrators from contracting debts on account of the missions; from slaughtering cattle of the missions, except for consumption, and from trading the mission horses or mules for clothing for the Indians; and likewise provided for the appointment of an inspector of the missions, to supervise the accounts of the administrators, and their fulfillment of their trusts. Article 11 prohibited the settlement of white persons in the establishments, "whilst the Indians should remain in community." The establishments of San Carlos, San Juan Bautista and Sonoma were excepted from these regulations, and to be governed by special rules.

On March 1, 1840, the same Governor Alvarado suppressed the office of administrators, and replaced them by *mayor domos*, with new and more stringent rules for the management of the establishments; but not making any change in the rules of Governor Figueroa regarding the lands or other property.

By a proclamation of March 29, 1843, Governor Micheltorena, "in pursuance (as he states) of an arrangement between the Governor and the prelate of the missions," directed the following named missions to be restored to the priests "as tutors to the Indians, and in the same manner as they formerly held them," namely, the missions of San Diego, San Luis Rey, San Juan Capistrano, San Gabriel, San Fernando, San Buenaventura, Santa Barbara, Santa Ynes, La Purisima, San Antonio, Santa Clara and San José. The same act set forth that "as policy made irrevocable what was already done," the missions should not reclaim any lands thitherto granted, but should collect the cattle and movable property which had been lent out either by the priests or administrators, and settle in a friendly way with the creditors; and likewise regather the dispersed Indians, except such as had been legally emancipated, or were at private service. That the priests might provide out of the products of the missions for the necessary expenses of converting, subsisting and clothing the Indians, for a moderate allowance to themselves, economical salaries to the *mayor domos*, and the maintenance of divine worship, under the condition that the priests should bind themselves in honor and conscience to deliver to the public treasury one-eighth part of all the annual products of the establishments. That the Departmental government would exert all its power for the protection of the missions, and the same in respect to individuals and to private property, securing to the owners the possession and preservation of the lands they now hold, but promising not to make any new grants without consultation with the priests, unless where the lands were notoriously unoccupied, or lacked cultivation, or in case of necessity.

Micheltorena's governorship was shortly after concluded. There had been sent into the Department with him a considerable body of persons called *presidarios*, that is, criminals condemned to service—usually, as in this case, military service on the frontier—and their presence and conduct gave such offense to the inhabitants that they revolted, and expelled him and the *presidarios* from the country. He was succeeded by Don Pio Pico, in virtue of his being the "first vocal" of the Departmental Assembly,* and also by choice of the inhabitants, afterward confirmed by the Central Government, which at the same time gave additional privileges to the Department in respect to the management of its domestic affairs.

* According to act of the Mexican Congress of May 6, 1822, to provide for supplying the place of provincial governors, in default of an incumbent.

The next public act which I find in relation to the missions is an act of the Departmental Assembly, published in a proclamation of Governor Pico, June 5, 1845. This act provides: 1. "That the Governor should call together the neophytes of the following-named missions: San Rafael, Dolores, Soledad, San Miguel and La Purisima; and in case those missions were abandoned by their neophytes, that he should give them one month's notice, by proclamation, to return and cultivate said missions, which if they did not do, the missions should be declared abandoned, and the Assembly and Governor dispose of them for the good of the Department. 2. That the missions of Carmel, San Juan Bautista, San Juan Capistrano and San Francisco Solano, should be considered as *pueblos*, or villages, which was their present condition; and that the property which remained to them, the Governor, after separating sufficient for the curate's house, for churches and their pertinencies, and for a municipal house, should sell at public auction, the product to be applied first to paying the debts of the establishments, and the remainder, if any, to the benefit of divine worship. 3. That the remainder of the missions to San Diego, inclusive, should be rented, at the discretion of the Governor, with the proviso, that the neophytes should be at liberty to employ themselves at their option on their own grounds, which the Governor should designate for them, in the service of the rentee, or of any other person. 4. That the principal edifice of the mission of Santa Barbara should be excepted from the proposed renting, and in it the Governor should designate the parts most suitable for the residence of the bishop and his attendants, and of the missionary priests then living there; moreover, that the rents arising from the remainder of the property of said mission should be disbursed, one-half for the benefit of the church and its ministry, the other for that of its Indians. 5. That the rents arising from the other missions should be divided, one-third to the maintenance of the minister, one-third to the Indians, one-third to the government."

On the 28th October, of the same year (1845), Governor Pico gave public notice for the sale to the highest bidder of five missions, to wit: San Rafael, Dolores, Soledad, San Miguel and La Purisima; likewise for the sale of the remaining buildings in the pueblos (formerly missions) of San Luis Obispo, Carmel, San Juan Bautista, and San Juan Capistrano, after separating the churches and their appurtenances, and a curate's municipal and school houses. The auctions were appointed to take place, those of San Luis Obispo, Purisima and San Juan Capistrano, the first four days of December following (1845); those of San Rafael, Dolores, San Juan Bautista, Carmel, Soledad and San Miguel, the 23d and 24th of January, 1846; meanwhile, the government would receive and take into consideration proposals in relation to said missions.

In the same proclamation Pico proposed to rent to the best bidder, for a period of nine years, and under conditions for the return of the property

in good order and without waste, the missions of San Fernando, San Buenaventura, Santa Barbara and Santa Ynes; the rentings to include all the lands, stock, agricultural tools, vineyards, gardens, offices and whatever in virtue of the inventories should be appurtenant to said missions, with "the exception only of those small pieces of ground which have always been occupied by some Indians of the missions;" likewise to include the buildings, saving the churches and their appurtenances, and the curate's, municipal and school-houses, and except in the mission of Santa Barbara, where the whole of the principal edifice should be reserved for the bishop and the priests residing there. The renting of the missions of San Diego, San Luis Rey, San Gabriel, San Antonio, Santa Clara and San José, it was further announced should take place as soon as some arrangement was made concerning their debts. It was also provided that the neophytes should be free from their pupilage, and might establish themselves on convenient parts of the missions, with liberty to serve the rentee, or any other person; that the Indians who possessed pieces of land, in which they had made their houses and gardens, should apply to the government for titles, in order that their lands might be adjudicated them in ownership, "it being understood that they would not have power to sell their lands, but that they should descend by inheritance."

On March 30, 1846, the Assembly passed an Act—

1. Authorizing the Governor, in order to make effective the object of the decree of 28th May previous, to operate, as he should believe most expedient, to prevent the total ruin of the missions of San Gabriel, San Luis Rey, San Diego and others found in like circumstances.

2. That as the remains of said establishments had large debts against them, if the existing property was not sufficient to cover the same, they might be put into bankruptcy.

3. That if, from this authorization, the Governor, in order to avoid the destruction to which the said missions were approaching, should determine to sell them to private persons, the sale should be by public auction.

4. That when sold, if, after the debts were satisfied, there should be any remainder, it should be distributed to the Indians of the respective establishments.

5. That in view of the expenses necessary in the maintenance of the priest, and of Divine worship, the Governor might determine a portion of the whole property, whether of cultivable lands, houses, or any other description, according to his discretion, and by consultation with the respective priests.

6. The property thus determined should be delivered as by sale, but subject to a perpetual interest of four per cent. for the uses above indicated.

7. That the present Act should not affect anything already done, or contracts made in pursuance of the decree of 28th May last, nor prevent anything being done conformable to that decree.

8. That the Governor should provide against all impediments that might not be foreseen by the Act, and in six months, at farthest, give an account to the Assembly of the results of its fulfilment.

Previous to several of the last-mentioned acts, that is on August 24, 1844, the Departmental Assembly, in anticipation of a war breaking out, passed a law authorizing the Governor, on the happening of that contingency, either "to sell, hypothecate, or rent, the houses, landed property and field lands of the missions, comprehended in the whole extent of the country from San Diego to Sonoma," except that of Santa Barbara, "reserved for the residence of the bishop."

These comprise all the general acts of the authorities of California which I was able to meet with on the subject of missions. Of the extent or manner in which they were carried into execution, so far as the missions proper —that is, the mission buildings and lands appurtenant—are concerned, but little information is afforded by what I could find in the archives. A very considerable part, however, of the grants made since the secularization of 1833 (comprising the bulk of all the grants in the country) are lands previously recognized as appurtenances of the missions, and so used as grazing farms, or for other purposes. In some cases the petitions for such grants were referred to the principal priest at the mission to which the land petitioned for was attached, and his opinion taken whether the grant could be made without prejudice to the mission. In other cases, and generally, this formality was not observed. This remark relates to the farms and grazing grounds (*ranchos*) occupied by the missions, and some titles to Indians, pursuant to the regulation of Governor Figueroa, and the proclamation of Governor Pico, on record in the file of *expedientes* of grants before noticed.

What I have been able to gather from the meager records and memoranda in the archives, and from private information and examination of the actual state of the missions, is given below. It is necessary to explain, however, still farther than I have, that in speaking of the missions now, we cannot understand the great establishments which they were. Since 1833, and even before, farms of great (many leagues) extent, and many of them, have reduced the limits they enjoyed, in all cases very greatly, and in some instances into a narrow compass; and while their borders have been thus cut off, their planting and other grounds inside are dotted to a greater or less extent by private grants. The extent to which this has been the case can only be ascertained by the same process that is necessary everywhere in California, to separate public from private lands—namely, authorized

surveys of the grants according to their calls, which though not definite, will almost always furnish some distinguishable natural object to guide the surveyor.* The actual condition of the establishments, understanding them in the reduced sense above shown, was, at the time the Mexican Government ceased in California, and according to the best information I could obtain, as follows:

MISSIONS.	WHERE SITUATED.	
San Diego	32° 48′	Sold to Santiago Arguello, June 8, 1846.
San Luis Rey	33 03	Sold to Antonio Cot and Andres Pico, May 13, 1846.
San Juan Capistrano	33 26	Pueblo, and remainder sold to John Foster and James McKinley, December 6, 1845.
San Gabriel	34 10	Sold to Julian Workman and Hugo Reid, June 18, 1846.
San Fernando	34 16	Rented to Andres Pico, for nine years from December, 1845, and sold to Juan Celis, June, 1846.
San Buenaventura	34 36	Sold to Joseph Arnaz.
Santa Barbara	34 49	Rented for nine years, from June 8, 1846, to Nicholas Den.
Santa Ynes	34 52	Rented to Joaquin Carrillo.
La Purisima	35 00	Sold to John Temple, December 6, 1845.
San Luis Obispo	35 36	Pueblo.
San Miguel	35 48	Uncertain.
San Antonio	36 30	Vacant.
Soledad	36 38	House and garden sold to Sobranes, January 4, 1846.
Carmel	36 44	Pueblo.
San Juan Bautista	36 58	Pueblo.
Santa Cruz	37 00	Vacant.
Santa Clara	37 20	In charge of priest.
San José	37 30	In charge of priest.
Dolores	37 58	Pueblo.
San Rafael	38 00	Mission in charge of priest.
San Francisco Solano	38 30	Mission in charge of priest.

The information above given concerning the condition of the missions at the time of the cessation of the former Government is partly obtained from documents in the archives, and partly from private sources. What is to be traced in the archives is on loose sheets of paper, liable to be lost, and parts quite likely have been lost; there may be some papers concerning them which, in the mass of documents, escaped my examination. I have no doubt, however, of the exactness of the statement above given as far as it goes.

It will be seen, then, that the missions—the principal part of their lands cut off by private grants, but still, no doubt, each embracing a considerable tract—perhaps from one to ten leagues—have, some of them, been sold or granted under the former Government, and become private property; some converted into villages, and consequently granted in the usual form in lots to individuals and heads of families; a part are in the hands of rentees, and at the disposal of the Government when these contracts expire, and the remainder at its present disposal.

* I was told by Major J. R. Snyder, the gentleman appointed Territorial Surveyor by Colonel Mason, and who made surveys of a number of grants in the central part of the country, that he had little difficulty in following the calls and ascertaining the bounds of the grants.

If it were within my province to suggest what would be an equitable disposition of such of the missions as remain the property of the Government, I should say that the churches with all the church property and ornaments, a portion of the principal building for the residence of the priest, with a piece of land equal to that designated in the original Act of the Mexican Congress for their secularization (to wit, two hundred varas square), with another piece for a cemetery, should be granted to the respective Catholic parishes for the uses specified, and the remainder of the buildings with portions of land attached, for schools and municipal or county purposes, and for the residence of the bishop; the same allotment at the mission of Santa Barbara that was made in the last proclamation of Governor Pico. The churches, certainly ought not to be appropriated to any other use, and less than the inhabitants have always considered and enjoyed as their right.

To conclude the inquiry in the last portion of your letter of instructions, namely, concerning "*large grants*" other than the supposed ecclesiastical grants.

I did not find in the archives of California any record of large grants in the sense I suppose the term to be here used. There are a number of grants to the full extent of the privilege accorded by law to individual concessions and of the authority of the local government to make independent of the Central Government—to wit, of eleven *sitios*, or leagues square.

There are understood in the country, however, to be large claims reputed to be founded on grants direct from the Mexican Government—one held by Captain Sutter; another by General Vallejo. The archives (as far as I could discover) only show that Captain Sutter received July 18, 1841, from Governor Alvarado, the usual grant of eleven *sitios* on the Sacramento river, and this is all I ascertained. The archives likewise show that General Vallejo received from Governor Micheltorena, October 22, 1823, a grant of ten *sitios* called "Petaluma," in the district of Sonoma; and I was informed by a respectable gentleman in California, that General Vallejo had likewise a grant from the Mexican Government, given for valuable consideration, of a large tract known by the name of "Suscol," and including the site of the present town of Benicia, founded by Messrs. Vallejo and Semple, on the Straits of Carquinez. It is also reputed that the same gentleman has extensive claims in the valley of Sonoma and on Suisun bay. It appears from documents which General Vallejo caused to be published in the newspapers of California in 1847, that he was deputed in the year 1835, by General Figueroa, to found a settlement in the valley of Sonoma, "with the object of arresting the progress of the Russian settlements of Bodega and Ross." General Vallejo was at that time (1835), military commander of the northern frontier. He afterwards (in 1836), by virtue of a revolution which occurred in that year in California, became military commandant

of the department—the civil and military government being by the same act divided—to which office he was confirmed in 1838 by the Supreme Government.

The following extract from Governor Figueroa's instructions to him will show the extent of General Vallejo's powers as agent for colonizing the north:

"You are empowered to solicit families in all the territory and other States of the Mexican Republic, in order to colonize the northern frontiers, granting lands to all persons who may wish to establish themselves there, and those grants shall be confirmed to them by the Territorial Government, whenever the grantees shall apply therefor; the title which they obtain from you serving them in the meantime as a sufficient guarantee, as you are the only individual authorized by the superior authority to concede lands in the frontier under your charge. The Supreme Government of the territory is convinced that you are the only officer to whom so great an enterprise can be entrusted, and, in order that it may be accomplished in a certain manner, it is willing to defray the necessary expenses to that end."

An official letter to General Vallejo from the Department of War and Marine, dated Mexico, August 5, 1839, expresses approbation of what had thitherto been done in establishing the colony, and the desire that the settlements should continue to increase "until they should be so strong as to be respected not only by the Indian tribes, but also by the establishments of the foreigners who should attempt to invade that valuable region."

I did not find any trace of these documents, or of anything concerning General Vallejo's appointment or operations, in the Government archives. But there is no reason to doubt the genuineness of the papers. They do not, however, convey any title to lands beyond authority to grant during the time his appointment continued to actual colonizers. The appointment of General Vallejo seems to have been made by direction of the Supreme (National) Government. I had no means of ascertaining how long the appointment lasted, nor to what extent its powers were used; but infer from Vallejo himself taking a grant of his rancho of Petaluma, in 1843, that his own authority in that respect had then ceased. As there are other grants also of considerable extent in the same neighborhood embraced in the Government archives, I apprehend that most, if not all of the grants made by him, exclusive of what may be embraced in the town privileges of Sonoma (and which will be noticed hereafter), were confirmed or regranted to the parties by the departmental government. In this view, however, I may be mistaken. And I desire to be distinctly understood as not intending to throw any doubt or discredit on the titles or claims of either of the gentlemen I have mentioned. I had no opportunity of inspecting any grants they may possess, beyond what I have stated, and I imagine their lands can only be separated from the domain by the process universally requisite—the registration of outstanding grants and their survey.

III.

GRANTS OF ISLANDS, KEYS AND PROMONTORIES, POINTS OF IMPORTANCE TO THE PUBLIC, ETC.

The only points of special public importance which I learned were granted prior to the cessation of the former government, are the site of the old fort of San Joaquin, near the outlet of the Bay of San Francisco, and Alcatraz (or Bird) Island, commanding its entrance, the Key of the Golden Gate. The date of the first named grant is June 25, 1846; it was made to Benito Diaz, and by him transferred to Mr. T. O. Larkin of Monterey. I understand a portion of the land embraced in the grant is in occupation of the United States troops, or has property of the United States upon it, and a part in possession of Mr. Larkin.

Alcatraz Island was granted in June, 1846, to Mr. Francis P. Temple, of Los Angeles. The indispensableness of this point to the Government, both for the purpose of fortification, and as a proper position for a light-house, induced Lieut-Col. Fremont, when Governor of California, to contract for the purchase of it on behalf of the United States. The Government, it is believed, has never confirmed the purchase, nor paid the consideration. This island is a solid rock, of about a half-a-mile in circumference, rising out of the sea just in front of the inner extremity of the throat or narrows which forms the entrance to the bay, and perfectly commands both front and sides. It is also in the line of the sailing directions for entering the bay,* and consequently a light-house upon it is indispensable.

The local government had special authority and instructions from the general government, under date of July 12, 1838, to grant and distribute lands in "the desert islands adjacent to that department."

Whether the grants "*purport to be inchoate or perfect?*" The grants made in that department under the Mexican law, all, I believe, purport to be perfect, except in the respect of requiring "confirmation by the departmental assembly." The difficulties of determining what grants have not received this confirmation have been above explained.

IV.

IF THERE BE ANY ALLEGED GRANTS OF LANDS COVERING A PORTION OF THE GOLD MINES, AND WHETHER IN ALL GRANTS IN GENERAL (UNDER THE MEXICAN GOVERNMENT,) OR IN CALIFORNIA IN PARTICULAR, THERE ARE NOT CONDITIONS AND LIMITATIONS, AND WHETHER THERE IS NOT A RESERVATION OF MINES OF GOLD AND SILVER, AND A SIMILAR RESERVATION AS TO QUICKSILVER AND OTHER MINERALS?

There is but one grant that I could learn of which covers any portion of the gold mines. Previous to the occupation of the country by the Americans, the parts now known as *The Gold region*, were infested with wild

* Beechy's Narrative of a voyage to the Pacific; London, 1831; appendix p. 562.

Indians, and no attempts made to settle there. The grant that I refer to was made by Governor Micheltorena, to Juan B. Alvarado, in February, 1844, and is called the *Mariposas*, being situated on the Mariposa creek, and between the Sierra Nevadas and the river Joaquin, and comprises ten *sitios*, or leagues square, conceded, as the grant expresses, "in consideration of the public services" of the grantee. It was purchased from the grantee (Alvarado) in February, 1847, by Thomas O. Larkin, Esq., for Mr. J. C. Fremont, and is now owned by that gentleman.

The only "*conditions or limitations*" contained in the grants in California which could effect the validity of the title, are, that in the grants made by some of the governors, a period of time (one year) was fixed, within which the grantees should commence improvements on the grant. In case of failure, however, the grant was not thereby void, but open to denouncement by other persons. This limitation was not contained in such of the grants made in the time of Micheltorena, as I have examined, nor is it prescribed by law. No doubt, however, the condition was fulfilled in most instances where it was inserted, unless in a few cases where the lands conceded were in parts of the country infested by the wild Indians, and its fulfilment consequently impossible. In fact, as far as I understood, it was more customary to occupy the land in anticipation of the grant. The grants were generally for actual (immediate) occupation and use.

I cannot find in the Mexican laws or regulations for colonization, or the granting of lands, anything that looks to a reservation of the mines of gold or silver, quicksilver or other metal or mineral; and there is not any such thing expressed in any of the many grants that came under my inspection. I inquired and examined also, while in Mexico, to this point, and could not learn that such reservations were the practice, either in general or in California in particular.

V.

IN ALL LARGE GRANTS, OR GRANTS OF IMPORTANT OR VALUABLE SITES, OR OF MINES, WHETHER OR NOT THEY WERE SURVEYED AND OCCUPIED UNDER THE GOVERNMENT OF SPAIN OR MEXICO, AND WHEN PUBLICITY WAS FIRST GIVEN TO SUCH GRANTS?

The first part of this inquiry is already answered, in the statement that, as far as I am aware, there were never any *surveys* made in the country during its occupation by either of the former governments. Most of the grants, however, were *occupied* before, or shortly after they were made, and all, as far as I am informed, except where the hostile Indian occupation prevented. In respect of the grants to which I have made any reference, I did not learn that there had been any delay in giving publicity to them.

Having met, sir, as far as in my power, the several inquiries set forth in the letter of instructions you were pleased to honor me with, my attention was turned, as far as they were not already answered, to the more detailed

points of examination furnished me, with your approbation, by the Commissioner of Public Lands. The very minute information contemplated by those instructions, it would have been impossible, as you justly anticipated, to obtain in the brief time proposed for my absence, even had it been accessible, in systematic archives and records. My examination, moreover, was sufficient to show me that such minute and exact information on many of the various heads proposed, is not attainable at all; and that the only mode of *approximating* it must be through such measures as will produce a general registration of written titles, and verbal proof of possession where written titles are wanting, followed or accompanied by a general *survey*. By such means only can an *approximation* be made to the minute information sought of the character, extent, position and date, particularly of the old grants in California.

The first branch of the inquiries proposed by the instructions from the Land Office, relate to "grants or claims derived from the Government of Spain."

The chief local authority to *grant* lands in the province of California was, *ex officio*, the military commandant, who was likewise Governor of the province; and the principal *recipients* of grants, officers and soldiers as they retired from service. The grants to the soldiers were principally of lots in and about the *presidios* (military posts) or the *pueblos* (villages); to the officers, farms and grazing lands in addition to such lots.

There were, also, at different times, settlers brought from Sonora and other provinces of New Spain (single men and families), and grants made to them; usually of village lots, and to the principal men ranchos in addition. The first settlement at San Francisco was thus made; that is, settlers accompanied the expedition thither, and combined with the military post. The pueblos of San José and Los Angeles were thus formed. The Governor made grants to the retired officers under the general colonization laws of Spain, but, as in all the remote provinces, much at his own discretion. He had likewise special authority to encourage the population of the country by making grants of farming lots to soldiers who should marry the native bred women at the missions. The captains of the *presidios* were likewise authorized to make grants within the distance of two leagues, measuring to the cardinal points from their respective posts. Hence, the presidios became in fact villages. The Viceroy of New Spain had also, of course, authority to make grants in California, and sometimes exercised it. It was pursuant to his order that presidios, missions and pueblos were severally established, and the places for them indicated by the local authority. Under all these authorities, grants were made; strictness of written law required that they should have been made by exact measurements, with written titles, and a record of them kept. In the rude and uncultivated state of the country that then existed, and lands possessing so little value, these formal-

ities were to a great extent disregarded, and if not then altogether disregarded, the evidence of their observance in many cases was lost. It is certain that the measurements even of the grants of village lots were very unexact and imperfect; and of larger tracts, such as were granted to the principal men, no measurement at all attempted, and even the quantity not always expressed, the sole description often being by a name descriptive, in fact or by repute, of the place granted. The law of custom, with the acquiescence of the highest authorities, overcame in these respects the written law. Written permits and grants were no doubt usually given, but if any systematic records or memoranda of them were kept, they have now disappeared, or I was not able to meet with them. In some cases, but not in all, the originals no doubt still exist in the possession of the descendants of the grantees; indeed, I have been assured there are many old written titles in the country, of which the archives do not contain any trace. But in other cases, no doubt, the titles rested originally only on *verbal* permits. It was very customary in the Spanish colonies for the principal neighborhood authorities to give permission to occupy and cultivate lands, with the understanding that the party interested would afterward, at a convenient occasion, obtain his grant from the functionary above. Under these circumstances, the grant was seldom refused, but the application for it was very often neglected; the title by permission being entirely good for the purposes of occupation and use, and never questioned by the neighbors. All these titles, whatever their original character, have been respected during the twenty-six or twenty-seven years of Mexican and local government. And whether evidenced now or ever by any written title, they constitute as meritorious and just claims as property is held by in any part of the world. They were, in the first place, the meager rewards for expatriation and arduous and hazardous public service in a remote and savage country. They are now the inheritance of the descendants of the first settlers of the country, and who redeemed it from (almost the lowest stage of) barbarism. Abstractly considered, there cannot be any higher title to the soil.

Many of the holders of old grants have taken the precaution to have them renewed, with a designation of boundary and quantity, under the forms of the Mexican law; and of these the proper records exist in the archives. To what extent old titles have been thus renewed, could not be ascertained, for the reason that there is no record of the old titles by which to make the comparison.

The principal difficulty that must attend the separation of the old grants from the public lands, or rather, to ascertain what is public domain and what private property, in the parts where those old grants are situate, is in the loose designation of their limits and extent. The only way that presents itself of avoiding this difficulty, and of doing justice both to the claimant and the government, would seem to be in receiving with respect to the old

grants, verbal testimony of occupation and of commonly reputed boundaries, and thereby, with due consideration of the laws and principles on which the grants were made, governing the surveys.

The military commandant or governor had authority, by virtue of his office, to make grants. He had, also, especial authority and direction to do so, in a letter of instructions from the Viceroy, August 17, 1773, and entitled "Instructions to be observed by the commandant appointed to the new establishments of San Diego and Monterey." These instructions authorized (as already noticed) the allotment of lands to Indians, either in community or individually; but it is to be understood only of Indians who should be in charge of the missions, and of the parcels of land within the mission settlements. Article thirteen gave the commandant "equal authority, likewise, to distribute lands to other settlers, according to their merit and comformably to the compilation of laws concerning new conquests and settlements." That is, according to the compilation of the "Laws of the Indias," which we know make certain provisions of the most liberal character for the founding and encouragement of new populations.

Subsequently, without abrogating the general colonial laws, a special Regulation was adopted, with the royal assent, for the government of the Californias, and making special provision for the settlement of that province, and the encouragement of the colonizers. This regulation was drawn in Monterey, by Governor Don Felipe Neve, in 1779, and confirmed by a Royal cedula of October 14, 1781. Its character and objects are shown in its title, namely "Rules and directions for the Presidios of the Peninsula of California, erection of new Missions, and encouragement of the Population, and extension of the establishments of Monterey." The first thirteen articles relate to the presidios and military. Title fourteen relates to the "Political Government and directions for Peopling." After providing liberal *bonuses* to new settlers in respect of money, cattle, and exemptions from various duties and burthens, this Regulation prescribes: That the *solares* (house lots) which shall be granted to the new settlers, shall be designated by the Governor in the places, and with the extent that the tract chosen for the new settlement will allow, and in such manner that they shall form a square, with streets conformably to the laws of the kingdom; and by the same rule shall be designated common lands for the pueblos, with pasturage and fields for municipal purposes (*propios*). That each *suerte* (out-lot), both of irrigable and unirrigable land, shall be two hundred varas square; and of these *suertes*, four (two watered and two dry) shall be given with the *solar*, or house lot, in the name of the King, to each settler.

These rules relate to the formation of villages and farming settlements, and are exclusive of the extensive ranchos—farms and grazing lands—allotted to persons of larger claims or means, sometimes direct from the Viceroy, usually by the local Governor.

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The acts of the Spanish Cortes, in 1813, heretofore quoted, may also be referred to as a part of the authority under which grants might be made in California during the continuance of the Spanish Government and prior to the colonization laws of Mexico, and afterwards, indeed, as far as not superceded by those laws.

The second point of inquiry in the instructions furnished me from the Land Office, relating to grants made under the *Mexican* Government, is already met in most respects, as far as was in my power to meet it, in the early part of this report. The "authority of the granting officers, and their powers for alienating the public domain," were derived from appointment by the Central Government, and from the general colonization laws and regulations of the Republic. There is little room for discrimination between such as are perfect titles and such as are inceptive and inchoate. A grant by the territorial or (departmental) governors within the extent of eleven *sitios* constituted a *valid* title, and with the approbation of the Departmental Assembly, a *perfect* one. After the Governor's concession, however, it could not with propriety be termed merely *inceptive*, for, in fact, it was complete until the Legislature should *refuse* its approbation, and then it would be the duty of the Governor to appeal for the claimant to the Supreme Government. I am not aware that a case of this kind arose. The difficulties, already explained, of ascertaining to what grants the legislative approbation was accorded, and from what it was withheld, the impossibility, in fact, of ascertaining in many cases, coupled with the fact that that approbation was so seldom refused, and that the party had still an appeal in case of refusal, would seem to render that provision of the law of those grants nugatory as a test of their merits.

The third inquiry touching "grants made about the time of the *revolutionary* movements in California, say in the months of June and July, 1846," is chiefly answered in what is said concerning the actual condition of the missions, and the grants of Fort Joaquin, at the mouth, and Alcatraz Island, inside the entrance of the Bay of San Francisco. In addition to these, the large island of *San Clemente*, I understood, was granted about that time, say in May, 1846. I found nothing in the archives concerning it. I do not think there were other grants to attract particular attention, except the proposed great Macnamara grant or contract, of which the principal papers are on file in the State Department, and have been printed in the Congressional Documents.

In the second branch of the last mentioned inquiry, namely, concerning any "grants made *subsequent to the war*," I suppose the intent is, grants, if any, made after the reduction of the country by the arms of the United States. There are, of course, no Mexican grants by the Mexican authorities which *purport* to have been issued subsequent to that time. The inquiry must relate, therefore, either to supposed *simulated grants*, by persons

formerly in authority there, or to whatever may have been done, in respect of the domain, by or under the American authorities. It is believed in the country that there are some simulated grants in existence; that is, some papers purporting to be grants which have been issued since the cessation of the Mexican Government, by persons who formerly, at different times, had the faculty of making grants in that country. It would be impossible, however, to make a list of them, with the particulars enumerated in the instructions; for, if there be any such, they would, of course, not be submitted for public inspection, or in any way seek the light. But I believe it would not be difficult for a person skilled in the grants in that country, and acquainted with the archives and the facts to be gathered from them, to detect any simulated paper that might be thus issued after the person issuing it had ceased from his office. The test, however, would necessarily have to be applied to each case as it arose. No general rule, I believe, can be laid down.

Recurring, then, to the other point which I suppose the inquiry to relate to. The most considerable act, affecting the domain, had subsequent to the accession of the American authorities in California, was a "decree" made by General Kearny, as Governor, under date March 10, 1847, as follows:

"I, Brigadier-General S. W. Kearny, Governor of California, by virtue of authority in me vested by the President of the United States of America, do hereby *grant, convey* and *release* unto the town of San Francisco, the people, or corporate authorities thereof, all the right, title and interest of the *Government of the United States*, and of the *Territory of California*, in and to the beach and water lots on the east front of said town of San Francisco, included between the points known as Rincon and Fort Montgomery, excepting such lots as may be selected for the use of the United States Government by the senior officers of the army and navy now there; provided the said ground hereby ceded shall be divided into lots, and sold by public auction to the highest bidder, after three months' notice previously given; the proceeds of said sale to be for the benefit of the town of San Francisco."

Pursuant to the terms of this paper, what are termed "government reservations" were made, both within and outside the limits specified, and the remainder of the lots designated have been since in great part sold by the town of San Francisco. These lots extend into the shallow water along the beach of San Francisco, and are very suitable and requisite for the business purposes of that growing city. The number of four hundred and forty-four of them were sold in the Summer ensuing the "decree," and in December last, I have learned since my return, the remainder, or a large portion of them, were disposed of by the corporation. But little public use has been made of what are denominated the "government reservations."

Portions of them are reputed to be covered by old grants; portions have been settled on and occupied by way of pre-emption, and other portions, particularly "Rincon Point," have been rented out, as I am informed, to individuals, by the late military government.

Under the above decree of General Kearny, and the consequent acts of the authorities of San Francisco, such multiplied, diversified and important private interests have arisen, that, at this late day, no good, but immense mischief would result from disturbing them. The city has derived a large amount of revenue from the sale of the lots; the lots have been re-sold and transferred in every variety of way, and passed through many hands, and on many of them costly and permanent improvements have been made; improvements required by the business and wants of the community, and which ought to give the makers of them an equitable interest in the land, even without the faith of the Government implied by leaving the act of its agent so long unquestioned. An Act of Congress, relinquishing thus in the lawful mode the interest of the United States in those beach and water lots, would seem to be only an act of justice to the city and to lot-holders, and to be necessary to give that validity and confidence that ought to attach to property of such great value and commercial importance.

In regard to the "government reservations," so called where they may be in private hands, whether under a former grant, or by occupancy and improvement, the same equity would seem to call for at least a *pre-emption right* to be allowed the holders, except for such small parts as may be actually required for public uses. In regard to the places known as "Clark's Point," and "Rincon Point," which are outside of the land embraced in General Kearny's decree, and portions of which it is understood have been put in the hands of rentees; perhaps the most equitable use that could be made of them (except, as before, the parts needed for public uses), would be to relinquish them to the city, to be sold as the beach and water lots have been; with due regard, at the same time, to rights accruing from valuable improvements that may have been made upon them, but repressing a monopoly of property so extensive and valuable, and so necessary to the improvement, business and growth of the city.

Other operations in lands which had not been reduced to private property at the time of the cessation of the former government have taken place in and about different towns and villages, by the alcaldes and other municipal authorities continuing to make grants of lots and out-lots, more or less according to the mode of the former government. This, I understand, has been done, under the supposition of a right to the lands granted, existing in the respective towns and corporations. Transactions of this nature have been to a very large extent at San Francisco; several hundred in-lots of fifty varas square, and out-lots of one hundred varas square, have been thus disposed of by the successive alcaldes of the place

since the occupation of it by the American forces, both those appointed by the naval and military commanders, and those subsequently chosen by the inhabitants.

It is undoubtedly conformable to the Spanish colonial laws, that when villages were to be established, there should be liberal allotments to the first settlers, with commons for general use, and municipal lands (*propios*) for the support and extension of the place—that is, to be rented, or otherwise transferred, subject to a tax; and that the principal magistrate, in conjunction with the *ayuntamiento*, or town council, should have the disposal of those town liberties, under the restrictions of law, for the benefit of the place, and the same was the practice in California, under the Mexican Government. It is not always so easy to determine within what limits this authority might be exercised; but in new communities, whether the settlement was founded by an *empresario* (contractor) or by the government, the allotments were always on a liberal scale, both for the individuals and the village. A very early law (law 6, tit. 3, lib. 4, Recop. de Indias) fixes "four leagues of limits and land (*de termino y territorio*) in square or prolonged, according to the nature of the tract," for a settlement of thirty families; and I suppose this is as small a tract as has usually been set apart for village uses and liberties, under the Spanish or Mexican Government in New Spain; sometimes much more extensive privileges have no doubt been granted. The instructions of 1773 to the commandant of the new posts, authorizes pueblos to be formed, without specifying their limits, which would, of course, bring them under the general law of four leagues.

The Royal Regulation of 1781, for the Californias, directs suitable municipal allotments to be made, "conformable to the law;" and this likewise must refer to the law specifying four leagues square.

The letter of instructions of 1791, authorizing the captains of presidios to make grants, in the neighborhood of their respective posts, specifies the same quantity, to wit: "the extent of four common leagues, measured from the center of the presidio square, two leagues in each direction, as sufficient for the new pueblos to be formed under the protection of the presidios."

The Mexican laws, as far as I am aware, make no change in this rule; and the colonization regulations of 1828, provide (Art. 13) that the reunion of many families into a town shall follow in its formation, policy, etc., the rule established by the existing laws for the other towns of the Republic."

From all these, and other acts which might be quoted, it would seem that where no special grant has been made, or limits assigned to a village, the common extent of four leagues would apply to it; it being understood, however, as the same law expresses, that the allotment should not interfere with the rights of other parties. The presidio settlements, under the order of 1791, were certainly entitled to their four leagues; the right of making grants within the same only transferred from the presidio captains to the

municipal authorities who succeeded him, as is conformable to Spanish and Mexican law and custom. This was the case under the Spanish Government; and I am not aware that the principle has been changed, though no doubt grants have been made to individuals which infringed on such village limits. The Territorial Deputation of California, however, by an act of August 6, 1834, directed that the ayuntamientos of the pueblos should "make application for common and municipal lands (*ejidos y propios*) to be assigned them." Wherever it shall appear that this was done, the town, I suppose, could only now claim what was then set apart for it. Where it was omitted or neglected, custom, reputed limits, and the old law, would seem to be a safe rule.

As to the point now under consideration, that of *San Francisco*, I find that in the acts of the Departmental authorities the settlements in and about the presidio were styled "*the pueblo of San Francisco*," and the particular place where the village principally was and the city now is, "*the point of Yerba Buena*." The local authorities, as its alcalde, or justice of the peace, were termed those of the pueblo of San Francisco. Its privileges were not, therefore, at any time limited to the point of Yerba Buena. Originally, probably, it had boundaries in common with the mission of Dolores, which would restrict it in its four leagues; but after the conversion of the mission into a pueblo, the jurisdiction of the authorities of San Francisco was extended, and special license given to its principal magistrate to grant lots *at the mission*. San Francisco is situated on a tongue or neck of land lying between the bay and the sea, increasing in breadth in a southerly direction. A measurement of four leagues south from the presidios would give the city, in the present advanced value of property, a magnificent corporate domain, but not so much as was fairly assignable to the precincts of the presidio under the order of 1791, nor so much as all new pueblos are entitled to under the general laws of the Indias. There are private rights, however, existing within those limits, apart from any grants of the village authorities, which ought to be respected; some through grants from the former government; some by location and improvement, a claim, both under our own law and custom and under the Spanish law, entitled to respect. To avoid the confusion—the destruction—that would grow out of the disturbing of the multiplied and vast interests that have arisen under the acts of the American authorities at San Francisco; to give the city what she would certainly have been entitled to by the terms of the old law, what she will need for the public improvements and adornments that her future population will require, and what is well due to the enterprise which has founded in so brief a space a great metropolis in that remote region, perhaps no better or juster measure could be suggested than a confirmation of past acts, a release of government claims to the extent of four leagues, measuring south from the presidio, and including all between

sea and bay, with suitable provision for protecting private rights, whether under old grants or by recent improvements, and reserving such sites as the government uses may require.

By the authorities of the village of *San José*, there have been still larger operations in the lands belonging, or supposed to belong, to the liberties of that town. The outlands there, as I learned, have been distributed in tracts of three to five hundred acres.

The pueblo of San José was founded November 7, 1777, by order of Felipe de Neve, then military commandant and governor. The first settlers were nine soldiers and five laboring men or farmers, who went thither with cattle, tools, etc., from San Francisco, where had been established the year before, by order of the Viceroy, the presidio and the mission of Dolores. These persons took possession, and made their settlement "in the name of his Majesty, making out the square for the erection of the houses, distributing the *solares* (house lots) and measuring to each settler a piece of ground for the sowing of a fanega of maize (two hundred varas by four hundred), and for beans and other vegetables.* Subsequently, the Regulation of 1781, allowing to the new settlers each four lots of two hundred varas square, besides their house lots, was no doubt applied to this village. It was designed for an agricultural settlement, and, together with the pueblo of the south (Los Angeles), received constantly the favor and encouragement of the government, with the view of having sufficient agricultural produce raised for the supply of the military posts. Both villages are situated in fertile plains, selected for their sites with that object. In a report or information, made by the Governor, Don Pedro Fages, in February, 1791, to his successor, Governor Romeu, the encouragement of the two pueblos is the first topic referred to:

1. "Being (says Governor Fages) one of the objects of greatest consideration, the encouragement of the two pueblos of civilized people, which have been established, the superior government has determined to encourage them with all possible aids, domiciliating in them soldiers who retire from the presidios, and by this means enlarging the settlement.

2. "By the superior order of April 27, 1784, it is ordered that the grains and other produce, which the presidios receive from the inhabitants of the two pueblos, shall be paid for in money, or such goods and effects as the inhabitants have need of.

3. "The distribution of lots of land, and house lots, made with all possible requisite formalities, with designation of town liberties, and other lands for the common advantage, as likewise titles of ownership given to the inhabitants, were approved by the Señor Commandante General, the 6th February of the present year of 1784."

* Noticias de Nueva California, by the Rev. Father Palou; MSS., Archives of Mexico.

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There are also records of families being brought at the government expense, from the province of Sonora, specially to people the two pueblos. Both these villages—being thus objects of government favor and encouragement—claim to have been founded with more extensive privileges than the ordinary village limits; and I have no doubt, from the information I received, that such was the case.

The village of *San José* had a dispute of boundary as early as the year 1800, with the adjoining mission of Santa Clara, and which was referred the following year to the Government of Mexico. The fact is noted in the index to California papers in the Mexican archives, but I did not find the corresponding record. There is likewise in the book of records marked "1828," in the archives at Monterey, an outline of the boundaries claimed by the pueblo at that time. But at a later period (in 1834, I believe), there was legislative action upon the subject, in which, as I understand, the boundaries were fully agreed upon. Some documents relating to this settlement are in the archives at San José, and also in the territorial archives. My time did not permit me to make a full investigation of the question of those boundaries, nor did I think it necessary, because, at all events, they can only be definitely settled by a survey, the same as private estates. My instructions, however, call for a discrimination between acts done "with legal formalities," and such as are "without legal sanction." It is therefore proper for me to say that I do not know of any law which would authorize the distribution of town property in California in lots measured by hundreds of acres; such distribution, in fact, would seem rather to defeat the ends for which town grants are authorized by the Spanish law. Perhaps an act to authorize the limits of the town to be ascertained by survey, and to leave the question of the validity of those recent large grants within the limits of the same, to be determined between the holders, and the town in its corporate capacity, would be as just and expedient as any other mode.

In and about the town of Monterey, likewise, there were large concessions, as I understood, and some including the sites of forts and public places, made by the magistrate appointed there after the accession of the American authority. The limits of this town, also, I think, depend on an act of the territorial legislature, and may be ascertained by an authorized survey.

The city of Los Angeles is one of the oldest establishments of California, and its prosperity was in the same manner as that of San José, an object of Government interest and encouragement. An Act of the Mexican Congress of May 23, 1835, erected it into a city, and established it as the capital of the territory. The limits which, I understood, are claimed as its town privileges, are quite large, but probably no more than it has enjoyed for sixty years, or ever since its foundation. The grants made by this

corporation since the cessation of the former government, have been, as far as I learned, quite in conformity with the Spanish law, in tracts such as were always granted for house lots in the village, and vineyards and gardens without, and in no greater number than the increase of population and the municipal wants required.

The only provision that seems to be wanting for the pueblo of Los Angeles is for the survey and definition of its extent, according to its ancient recognized limits. The same remark, as far as I have learned, will apply to the remaining towns of the country, established under either of the former governments.

The remarks made in a previous part of this report in relation to the *missions* cover to a good degree the substance of that branch of the inquiries proposed by the Commissioner of the Land Bureau. I have already stated that originally the "mission lands" may be said to have been co-extensive with the province, since, nominally, at least, they occupied the whole extent, except the small localities of the *presidios*, and the part inhabited by the wild Indians, whom and whose territory it was their privilege to enter and reduce. Among the papers accompanying this report is included a transcript of their recorded boundaries, as stated in a record book heretofore noticed. It will be seen from the fact first mentioned of their original occupation of the whole province, and from the vast territories accorded to their occupation, as late as the year 1828, how inconsistent with any considerable peopling of the country would have been any notion of *proprietorship* in the missionaries.

I am also instructed to "make an inquiry into the nature of the *Indian Rights* [in the soil], under the Spanish and Mexican governments."

It is a principle constantly laid down in the Spanish colonial laws, that the Indians shall have a *right* to as much land as they need for their habitations, for tillage, and for pasturage. Where they were already partially settled in communities, sufficient of the land which they occupied was secured them for those purposes.* If they were wild and scattered in the mountains and wildernesses, the policy of the law, and of the instructions impressed on the authorities of the distant provinces, was to reduce them, establish them in villages, convert them to Christianity, and instruct them in useful employments.† The province of California was not excepted from the operation of this rule. It was for this purpose especially, that the missions were founded and encouraged. The instructions heretofore quoted, given to the commandant of Upper California in August, 1773, enjoin on that functionary, that "the reduction of the Indians in proportion as the spiritual conquests advance, shall be one of his principal cares;" that the reduction made, "and as rapidly as it proceeds, it is important for their

* Recopilacion de Indias; laws 7 to 20, tit. 12, book 4.
† Ib., laws 1 and 9, tit. 3, book 6.

preservation and augmentation, to congregate them in mission settlements, in order that they may be civilized and led to a rational life;" which (adds the instructions) "is impossible, if they be left to live dispersed in the mountains."

The early laws were so tender of these rights of the Indians, that they forbade the allotment of lands to the Spaniards, and especially the rearing of stock, where it might interfere with the tillage of the Indians. Special directions were also given for the selection of lands for the Indian villages, in places suitable for agriculture and having the necessary wood and water.* The lands set apart to them were likewise inalienable, except by the advice and consent of officers of the government, whose duty it was to protect the natives as minors or pupils.†

Agreeably to the theory and spirit of these laws, the Indians in California were always supposed to have a certain property or interest in the missions. The instructions of 1773 authorized, as we have already seen, the commandant of the province to make grants to the mission Indians of lands of the missions, either in community or individually. But, apart from any direct grant, they have been always reckoned to have had a right of settlement; and we shall find that all the plans that have been adopted for the secularization of the missions, have contemplated, recognized, and provided for this right. That the plan of Hijar did not recognize or provide for the settlements of Indians, was one of the main objections to it, urged by Governor Figueroa and the territorial deputation. That plan was entirely discomfited; all the successive ones that were carried into partial execution, placed the Indian right of settlement amongst the first objects to be provided for. We may say, therefore, that, however mal-administration of the law may have destroyed its intent, the law itself has constantly asserted the rights of the Indians to habitations and sufficient fields for their support. The law always intended the Indians of the missions—all of them who remained there—to have homes upon the mission grounds. The same, I think, may be said of the large ranchos—most, or all of which, were formerly mission ranchos—and of the Indian settlements or *rancherias* upon them. I understand the law to be, that wherever Indian settlements are established, and they till the ground, they have a right of occupancy in the land. This right of occupancy, however—at least when on private estates —is not transferable; but whenever the Indians abandon it, the title of the owner becomes perfect. Where there is no private ownership over the settlement, as where the land it occupies have been assigned it by a functuary of the country thereto authorized, there is a process, as before shown, by which the natives may alien their title. I believe these remarks cover

* Law 7, tit. 12, Recop. Indias; ib., laws 8 and 20, tit. 3, book 6.

† Ib., law 27, tit. 6, book 1. Pena y Pena, 1 Practica Forense Mejicana. 248, etc. Alaman, 1 Historia de Mejico, 23-25.

the principles of the Spanish law in regard to Indian settlements, as far as they have been applied in California, and are conformable to the customary law that has prevailed there.*

The continued observance of this law, and the exercise of the public authority to protect the Indians in their rights under it, cannot, I think, produce any great inconvenience; while a proper regard for long recognized rights, and a proper sympathy for an unfortunate and unhappy race, would seem to forbid that it should be abrogated, unless for a better. The number of subjugated Indians is now too small, and the lands they occupy too insignificant in amount, for their protection, to the extent of the law, to cause any considerable molestation. Besides there are causes at work by which even the present small number is rapidly diminishing; so that any question concerning them can be but temporary. In 1834 there were employed in the mission establishments alone the number of thirty thousand six hundred and fifty.†

In 1842, only about eight years after the restraining and compelling hand of the missionaries had been taken off, their number on the missions had dwindled to four thousand four hundred and fifty, and the process of reduction has been going on as rapidly since.

In the wild and wandering tribes the Spanish law does not recognize any title whatever to the soil.

It is a common opinion that nearly all of what may be called the coast country—that is, the country west of the Sacramento and San Joaquin valleys—which lies south of and including the Sonoma District, has been ceded, and is covered with private grants. If this were the case, it would still leave the extensive valleys of these large rivers and their lateral tributaries almost intact, and a large extent of territory—from three to four degrees of latitude—at the north, attached to the public domain within the State of California, beside the gold region, of unknown extent, along the foot-hills of the Sierra Nevada. But while it may be nominally the case that the greater part of the coast country referred to is covered with grants, my observation and information convince me that when the country shall be surveyed, after leaving to every grantee all that his grant calls for, there will be extensive and valuable tracts remaining. This is explained by the fact that the grants were not made by measurement, but by a loose designation of boundaries, often including a considerably greater extent of land than the quantity expressed in the title; but the grant usually provides

* Of course, what is here said of the natnre of Indian rights does not refer to titles to lots and farming tracts, which have been granted in ownership to individual Indians by the Government. These I suppose to be entitled to the same protection as other private property.

† This is not an *estimate*, it is an exact statement. The records of the missions were kept with system and exactness; every birth, marriage, and death was recorded, and the name of every pupil or *neophyte*, which is the name by which the mission Indians were known; and from this record, an annual return was made to the Government of the precise number of Indians connected with the establishment.

that the overplus shall remain to the Government. Although, therefore, the surveys, cutting off all above the quantity expressed in the grant, would often interfere with nominal occupation, I think justice would generally be done by that mode to all the interests concerned—the holders of the grants, the Government, and the wants of the population crowding thither. To avoid the possibility of an injustice, however, and to provide for cases where long occupation or peculiar circumstances may have given parties a title to the extent of their nominal boundaries, and above the quantity expressed in their grants, it would be proper to authorize any one, who should feel himself aggrieved by this operation of the survey, to bring a suit for the remainder.

The grants in California, I am bound to say, are mostly *perfect titles;* that is, the holders possess their property by titles that, under the law which created them, were equivalent to patents from our Government; and those which are not perfect—that is, which lack some formality, or some *evidence* of completeness—have the same *equity* as those which are perfect, and were and would have been equally respected under the Government which has passed away. Of course, I allude to grants made in good faith, and not to simulated grants, if there be any such, issued since the persons who made them ceased from their functions in that respect.

I think the state of land titles in that country will allow the public lands to be ascertained, and the private lands set apart by judicious measures, with little difficulty. Any measure calculated to discredit, or cause to be distrusted the general character of the titles there, besides the alarm and anxiety which it would create among the ancient population, and among all present holders of property, would, I believe, also retard the substantial improvement of the country; a title discredited is not destroyed, but every one is afraid to touch it, or at all events to invest labor and money in improvements that rest on a suspected tenure. The holder is afraid to improve; others are afraid to purchase, or if they do purchase at its discredited value, willing only to make inconsiderable investments upon it. The titles not called in question (as they certainly for any reason that I could discover do not deserve to be), the pressure of population and the force of circumstances will soon operate to break up the existing large tracts into farms of such extent as the nature of the country will allow of, and the wants of the community require; and this under circumstances and with such assurance of tenure as will warrant those substantial improvements that the thrift and prosperity of the country in other respects invite.

I think the rights of the Government will be fully secured, and the interests and permanent prosperity of all classes in that country best consulted, by no other general measure in relation to private property than an authorized survey according to the grants, where the grants are modern, or since the accession of the Mexican Government, reserving the overplus; or,

according to ancient possession, where it dates from the time of the Spanish Government, and the written evidence of the grant is lost, or does not afford data for the survey. But providing that in any case, where from the opinion of the proper law officer or agent of the Government in the State, or from information in any way received, there may be reason to suppose a grant invalid, the Government (or proper officer of it) may direct a suit to be instituted for its annulment.

In glancing at the heading of this chapter we must ask the reader not to indulge in the vain hope that a full history of the grants comprised within the limits of what is known as Contra Costa county will be found; such, indeed, would be beyond the limits of this work, even had we at hand the infinity of resources to be found in the hundreds of cases which have arisen out of them. Our compilation must of necessity be accepted in its crude form. We have striven to our utmost capacity to produce some information which would combine both usefulness and correctness, and to this end have relied chiefly on the information contained in a legal work, on whose title page is the legend, "Reports of land cases determined in the United States District Court for the Northern District of California, June Term, 1853, to June Term, 1858, inclusive. By Ogden Hoffman, District Judge, San Francisco; Numa Hubert, 1862." The first case we find on page 79, vol. 1:—

THE UNITED STATES, *Appellants, vs.* SALVIO PACHECO, *claiming the Rancho Monte del Diablo.* Claim for four leagues of land in Contra Costa county, confirmed by the Board, and appealed by the United States. In this case a grant from Governor Figueroa to the claimant is produced and proved, and evidence is offered to prove the occupation and cultivation of the land within the year, as prescribed in the grant. In the opinion of the Board, the grant is treated as undoubtedly genuine, and the fact of the performance of the conditions as indisputable. No additional testimony has been taken in this Court, nor has any reason for refusing the decree of the Board and rejecting the claim been suggested to us on the part of the appellants. The only objection that could have been raised—viz., the want of judicial possession, and the fact that the land is within the ten littoral leagues, has already repeatedly been overruled. A decree confirming the claim must therefore be entered. (December Term, 1855.)

THE UNITED STATES, *Appellants, vs.* JOAQUIN MORAGA, *claiming the Rancho Laguna de Palos Colorados.*—Claim for three leagues of land in Contra Costa county, confirmed by the Board, and appealed by the United States. The claimants in this case petitioned on the thirtieth of August, 1835, for the place called "Laguna de los Palos Colorados." The petition was referred to the Ayuntamiento del Pueblo de S. José Guadalupe, and also to the Rev. Padre, for their reports. On receiving these reports, which were favorable, José Castro, Primero Vocal of the Assembly and Political Chief, *ad*

interim, made his concession on the tenth of October, 1835, and directed that when the Departmental Assembly should have approved the grant, the corresponding title should issue. On the twelfth of October, 1835, the concession was approved, but the "title" does not seem to have issued until the thirty-first of July, 1841. All the foregoing facts appear from the expediente on file in the archives of the former Government. The claimants have also produced the original title delivered to them, which bears date on the tenth of August, 1841, to which is attached a map or diseño certified by Jimeno, Secretary of the Government, to be a copy of that accompanying the expediente. The translation of this certificate seems to be omitted. There also accompanies this document the certificate of approval by the Departmental Assembly, and a note or record of an arrangement between Moraga and Candelario Valencia, who seems to have been a colindante or coterminous owner, fixing their common line, and providing for the use in common of an *ojo de aqua*, or spring of water, which is on the land. The authenticity of all these documents is fully proved, and it is shown that in 1836 the parties went upon the land, built houses, corrals, and placed cattle upon it, and cultivated a considerable portion. The boundaries of the tract are given with some precision in the original grant, and it appears in evidence that the limits of the rancho are well known to those residing in the vicinity. The claim was confirmed by the Board, and we think their decision should be affirmed. (December Term, 1855.)

THE UNITED STATES, *Appellants, vs.* JOAQUIN Y. CASTRO, *Administrator of Francisco Maria Castro, deceased, claiming the Rancho San Pablo.*—Claim for about four leagues of land in Contra Costa county, confirmed by the Board, and appealed by the United States. This case has been submitted to the Court on appeal without argument or the statement of any objection to its validity. We have, however, as in other cases, examined the transcript, which is unusually voluminous, and have perceived no obstacle to its confirmation. The first application for the land appears to have been made by Don Francisco Castro in 1823, and to have been addressed to the Deputation. On the same day a decree was made granting the place solicited, and directing the Military Commander of the Presidio of San Francisco to put the petitioner in possession. This seems, from various causes, not to have been done, nor does the title to the land appear to have issued to Francisco Castro during his life-time, although, as appears from the expediente, he had gone upon the land, placed cattle upon it, and from time to time solicited of the Governor the formal title. On his death, his son and the administrator of his estate, Joaquin Ysidro Castro, petitioned the Governor on the twenty-sixth of May, 1834, for the land occupied by the family, stating it to be three leagues in extent, and annexing to his petition a map of the land solicited. The Governor, after having caused the documents on file in the case of the previous application of Francisco

Castro to be produced, acceded to the petition, and on the twelfth of June, 1834, the formal title issued to the successors of Francisco Castro. In this title the boundaries of the land are mentioned, and reference is made to the map which accompanies the expediente. The extent of the land granted is stated to be three square leagues, more or less. On the twenty-third of June, 1835, Joaquin Ysidro Castro presented another petition to the Governor, in which he states that he had, through inadvertence, neglected to ask for all the land included in the boundaries indicated on the diseño, and he solicited an augmentation of the previous grant so as to include the whole tract designated on the map. By the report of Negrete, the Secretary to whom the Governor referred this petition, it appears that the land comprised within the boundaries referred to had been ascertained to be of the extent of four and one twenty-fourth square leagues. On the fourteenth of August, 1835, the Governor granted to the successors of Francisco Castro the augmentation solicited, and on the twentieth of August, 1835, the formal title was issued for the land, as originally bounded, and in the fourth so called condition of the title the extent of the tract is declared to be "four square leagues and a little over, including the surplus which by the decree of the fourteenth of August of the present year was granted to them, and as shown by the map which accompanies the expediente and already conceded to them." It is this tract of four square leagues and a little over that is now claimed by the appellees. All the above recited facts appear from the expedientes on file. The authenticity of the original documents produced by the interested parties is fully proved, and their long continued occupation and extensive improvements of the land for more than thirty years clearly established. It also appears that the grant was approved by the Departmental Assembly. We are of the opinion therefore that this claim is valid, and that the decision of the Board should be affirmed. (December Term, 1855).

THE UNITED STATES, *Appellants, vs.* ROSA PACHECO *et al., claiming the Rancho Arroyo de las Nueces y Bolbones.*—Claim for two leagues of land, more or less, in Contra Costa county, confirmed by the Board of two leagues, and appealed by the United States and by claimants. In this case appeals have been taken both by the United States and by the claimants. The Board confirmed the title to the land to the extent of two leagues, and the claimants assert that they are entitled to a confirmation of the tract granted by metes and bounds, and irrespective of quantity. With regard to the validity of the grant no question seems to be raised. In the brief filed on the part of the United States it is observed that, "on the general question of the validity of the whole grant, it is not designed to repeat objections and arguments which this Court has so often decided to be untenable." The validity of the title being thus admitted, under the principles laid down in former adjudications of this Court, the only question is as to the extent to which

it should be confirmed. The petition was presented to Governor Figueroa on the fifteenth of May, 1834, and the usual order of reference for information was made. After receiving the report of the Ayuntamiento of San José Guadalupe, a further reference was made to the Alcalde of Monterey, directing him to examine witnesses, to be produced by the petitioner, as to her qualifications, as to whether the land was vacant, as to its extent and nature, and as to whether she had the means of stocking it with cattle. The Alcalde accordingly took the depositions of the witnesses, by which it appeared that, as stated by two of them, the land was two and one-half leagues, "a little more or less," long, and about two leagues broad; and as deposed by the third, that it was two leagues long, more or less, and about two leagues broad. Upon receiving these reports, the Governor made the usual order of concession, declaring this petitioner "owner of the land between the Arroyo de las Nueces and the Sierra de los Golgones, bounded by the said places and by the Ranchos of San Ramon, Las Juntas and Monte del Diablo," and directing the expediente to be sent to the Most Excellent Deputations for their due approval. The grant or final title, in what would seem to be strict compliance with the colonization laws, was withheld until the approval of the Assembly had made the grant definitely valid. On the eleventh of July, 1834, the Assembly passed a resolution approving "the grant made to Doña Juana Sanches de Pacheco of the place included between the Arroyo de las Nueces and the Bolbones." On the thirty-first of July, the Governor, after referring to the resolution of approval, ordered the title to issue. It accordingly issued on the same day. The grant, after reciting that Doña J. S. de Pacheco had petitioned for the land included between the Arroyo de las Nueces and the Sierra de los Golgones, bounded by the said places and the Ranchos de las Juntas, San Ramon and Monte del Diablo, and after referring to the resolution approving the grant of the land between the Arroyo de las Nueces and the the Sierra de los Golgones, grants to her "the aforesaid land, declaring to her the ownership of it by these presents, and subject to the following conditions." The fourth condition is as follows: "The land of which mention is made is two square leagues, a little more or less, as shown by the map which goes with the expediente. The magistrate who may give the possession will cause it to be measured in conformity with the ordinance, for the purpose of making out the boundaries, leaving the surplus which may result to the nation for its convenient uses." It is contended on the part of the United States that by this condition the quantity of land is limited to two leagues, a little more or less. It is urged on the part of the claimants, that the original order of concession, the resolution of approval, and the description of the land in the grant itself, clearly show the intention to have been to grant the land as delineated on the diseño and described in the grant; and that if the fourth condition be construed to limit the quantity, it is repugnant to the rest of the

grant, inconsistent with the previous concession and resolution of approval, and probably introduced by mistake. If such was the intention of the Governor when he made the concession, and of the Assembly when they approved of it, the final title, issued with an express reference to, and avowed conformity with the resolution of approval, should, if possible, be so construed as to give effect to it. The inquiry therefore is, did the Governor intend by the fourth condition to limit the quantity of land granted, or is the mention of quantity to be treated as merely a mis-description of the extent of the land, which should, as at common law, yield to boundaries, when the latter are distinctly mentioned, and when such construction is necessary to give effect to the intention of the parties? In the case of the *United States* vs. *Wright*, it was held by the Court that where land had been granted by specific boundaries, which included in fact about eight leagues, and the condition specified the extent as four leagues, a little more or less, the grant could not be construed to embrace the larger quantity. But in that case it appeared that the petitioner himself, as well as the witnesses produced by him, had represented the land as only "three or four leagues in extent." The Governor, therefore, in limiting the grant to the quantity represented to be included within the boundaries, either merely carried into effect the understanding and intentions of all parties, or else the representations were fraudulent, and the parties to the deception could not in a Court of Equity be allowed the fruits of their fraud. It seemed to the Court in that case that justice would be satisfied and every substantial right protected by limiting the extent of the land to the quantity which the Governor intended to grant and the petition asked for. But the case at bar is different. The Governor was fully apprised of the extent of the land, not only by the testimony of the witnesses produced before the Alcalde, but the diseño which was submitted both to the Governor and the Assembly, and which is referred to in the condition, shows the land included within the boundaries to be of about the extent mentioned by the witnesses.

The boundaries mentioned in the concession, the resolution of approval, and the grant, are the same as those indicated on the map, and the Governor, in all probability, derived his description of the land from that source. It is clear from this fact, as well as the express language of the condition, that the Governor intended to grant the land "as shown by the map;" and that map contains a scale which must, independently of other information, have apprised the Governor that the quantity was greater than two leagues. In this, as in all analogous cases, the only object of the Court should be to carry out the instructions of the granting power. When, therefore, we find the land granted by specific boundaries, and those boundaries represented to the grantor to contain a certain quantity; when the grantor's attention has been directed to the point; and on ascertaining that the quantity is the same as that represented, he nevertheless proceeds to grant all the land

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within those boundaries, and refers to the map which clearly indicates the quantity—under all these circumstances, we must consider that the intention was to grant all the land included within the boundaries, notwithstanding that in a subsequent condition the quantity may be erroneously stated. That conditions applicable only to one species of grants were often asserted by mistake in grants of a different species is notorious. In this case the mention of two leagues as the extent of the granted land is, perhaps, owing to the fact that the clerk who drafted the document forgot that a tract two leagues broad by two wide contained four and not two square leagues. However this may be, we think it clear that in this case all the land within the boundaries was intended to be granted; and as there is no proof or suggestion that the land so included exceeds in extent the quantity testified to by the witnesses before the alcalde, that the claim should be confined to the tract as described in the grant and delineated on the map. (June Term, 1856.)

THE UNITED STATES, *Appellants, vs.* JONATHAN D. STEVENSON, *et al., claiming the Rancho Medanos.*—Claim for two leagues of land in Contra Costa county, confirmed by the Board, and appealed by the United States. The claim in this case is for a piece of land called "Medanos," embracing two square leagues, "a little more or less." It was confirmed by the Board, and the cause has been submitted to this Court on appeal without argument, or the statement of any objection to its validity. The title paper is produced by the claimants, and its genuineness duly certified. The expediente from the archives not only shows that the preliminary proceedings were in due form, but that the grant was confirmed by the Departmental Assembly about six months after its date. It is also shown that the conditions were fully complied with. The delineation on the diseño appears to be rude and inexact, but the title itself describes the boundaries of the tract with some precision. In that document the land is mentioned as that known by the name of "Medanos," and bounded on the south by the land of citizen Noriega, on the north by that of citizen Salvio Pacheco, on the east by the river San Joaquin, and on the west by the "lomarias," or small hills. The third condition states the extent of the granted land to be two square leagues, a "little more or less." Some of the witnesses appear to have supposed that the land embraced within these boundaries would include a tract of far greater extent than that mentioned in the condition. But it is clear that they have confounded the "lomarias" mentioned in the grant with the range of mountains known as the Contra Costa hills, which lie at a considerable distance, and which would, if taken as the western boundary, not only include a tract of country of great extent, but also one or more intervening Ranchos. It would seem, however, that the "lomarias" spoken of are a range of low hills, and that the land included within these and the

other boundaries of the grant has about the extent mentioned in the grant. Such appears to have been the view taken of the case by the Board, and we see no reason for a different conclusion. The mesne conveyances appear to be regular. Under the proofs offered, the claimant, Stevenson, is entitled to a confirmation of the part conveyed to him by the deed as reformed according to the intentions of the parties under the decree of the District Court of this State. A decree affirming the decision of the Board must be entered. (June Term, 1856.)

INOCENCIO ROMERO *et al., claiming El Sobrante, Appellants, vs.* THE UNITED STATES.—Claim for five leagues of land in Contra Costa county, rejected by the Board, and appealed by the United States. It appears from the expediente on file in the archives, that on the eighteenth day of January, 1844, the brothers Romero petitioned the Governor in the usual form for a grant of land, being a sobrante lying between the ranchos of Moraga, Pacheco and Welch. This petition was by a marginal order referred to the Honorable Secretary for his report. The Secretary referred the papers to the First Alcalde of San José, with directions to summon Moraga, Pacheco and Welch, hear their allegations, and return the papers to the office. On the first of February, 1844, the First Alcalde reports that the owners of the lands bounded by the tract have been confronted with the petitioners, and that the former are willing and desirous that the land be granted. He adds that it had come to his knowledge that one Francisco Soto claimed the tract some six or seven years ago, but as he had never used nor cultivated it, the petitioners appeared to him to be entitled to the favor they ask. On the fourth of February, 1844, Manuel Jimeno, the Secretary, reports to the Governor that, in view of the report of the First Alcalde, there would seem to be no obstacle to making the grant. On this report of the Secretary, the Governor makes the following order: "Let the Judge of the proper district take measurement of the unoccupied land that is claimed, in presence of the neighbors, and certify the result, so that it may be granted to the petitioners.—Micheltorena." On the twenty-first of March, 1844, the claimants addressed a petition to the Governor, representing that, owing to the absence of the owners of the neighboring lands, the Judge of the Pueblo of San José had been unable to execute the superior order, (above recited), and soliciting that his Excellency would grant the tract to them, "either provisionally, or in such way as he would deem fit," while there was yet time for planting, etc. On this petition Jimeno reports (March 23, 1844,) that the original order should be carried into effect as to the measurement of the land, and that "as soon as that was accomplished, Señor Romero can present himself with Señor Soto, who says he has a right to the same tract." The Governor thereupon made the following report: "Let everything be done agreeably to the foregoing report.—Micheltorena." The above

documents constitute the whole expediente on file in the archives. From the documents produced by the claimant from the files of the Alcalde's office, it appears that on the same day, March 23, 1844, Jimeno communicated to the Alcalde the order of the Governor that the Sobrante solicited by the Romeros should be measured, and that if it should be necessary a measurement of the adjoining ranchos should also be made—with the understanding that those parties who should become "agraciados" should bear the expense. It is evident that up to the date of the last order of Micheltorena no grant of the land had issued. That pursuant to the recommendation of Jimeno, the Governor declined to make even a provisional grant as solicited, and that final action in the matter was deferred until a measurement should be made, and until Romero and Soto should present themselves. Jimeno does not seem to have finally adopted the opinion of the Alcalde that Soto had forfeited his rights to the land, for he recommends to the Governor, as we have seen, that the land should be measured without delay, and that *then* "Romero should present himself, joined with Señor Soto, who *says he has a right to the same land.*" In this recommendation the Governor concurs. There is certainly nothing in these proceedings which indicate that the Governor had finally determined to grant the land, though it is evident that he regarded the application with favor; still less can any of the orders made by him be construed to import a present grant. On the contrary, it is clear that the Governor refuses to make even a provisional grant, but insists that a measurement shall first be made, and then that Romero and Soto shall appear before him, evidently with the view of determining the rights of the latter.

The subsequent proceedings, as shown by documents exhibited by the claimants, confirm this view. On the fifteenth of January, 1847, Romero and Garcia, the present claimants, appeared before John Burton, the Alcalde of San José, and executed a paper in the presence of the Alcalde and two witnesses, reciting a sale by Romero to Garcia of one-half of the land, and stipulating that both parties should remain *subject* to the final result, "if the Governor grant it in ownership." And if the contrary should be "the case, then Garcia should lose equally with Romero, without any right to reclaim the consideration paid." This paper is signed by the parties, the Alcalde and the witnesses. On the twenty-eighth of May, 1847, José Romero addressed a petition to John Burton, Alcalde of San José, representing that as early as 1844, an order from the former Governor had been sent to the Alcalde's Court requiring a measurement of the land called "Juntas;" that such measurement had not yet been made. He therefore solicits the Alcalde to give him a testimonial of the reports which in the year 1844 were sent to the Government, so "*that we can be granted said land.*" The Alcalde in a marginal order directs that the lands should be measured according to the original order of the Supreme Government.

In the margin of the order transmitted by Jimeno, under date of March 23, 1844, the Alcalde writes: "Be it done accordingly, on the ninth of April, 1847. The interested parties will proceed to take possession of the mentioned land according to the order of the Governor. I further order, that in case any bordering land-owner demand it, a measurement of his land be ordered. John Burton, J. P." It appears, moreover, that about two months before the date of their last petition, viz: on the thirty-first of March, 1847, José Romero had addressed a petition to the same Alcalde, representing that some years before he had solicited a piece of land in the Cañada de San Ramon, and bordering upon lands of Don M. Castro, and that his Excellency had ordered the lands of Castro to be measured, which had never been done. The petitioners further stated that they were two brothers, with a numerous family, and were without any piece of land whatever to raise cattle; they therefore begged the Alcalde to provide for them as soon as possible, that they might retain and locate their stock. The Alcalde on the fifth of April orders that the fulfillment of the superior order should be at once proceeded to. The entry in the marginal order transmitted by Jimeno was made on the Romeros' petition of the twenty-third of March, and not on that of the twenty-eighth of May, above referred to; for it directs the measurement to be proceeded to on the ninth of April. And, finally, on the twenty-seventh of December, 1847, K. H. Dimmick, then Alcalde, makes an order in which, after reciting that disputes as to the boundaries existed between the Romeros and Domingo Peralta, he directs that the boundaries be established and adjusted in the manner specified in the order of the Governor, dated twenty-third of March, 1844. I have stated the contents of these various documents with some particularity, because an attempt has been made since the rejection of the claim by the Board, to show by parol evidence that a final grant issued to the Romeros, which has been lost. We have seen that the last document in the expediente is the order of the Governor of the twenty-third of March, 1844, adopting Jimeno's recommendation that a measurement should be made before issuing the final grant, or even a provisional one, as solicited by Romero; and even then it does not seem that the grant was certainly to be made, for Romero and Soto were to "present themselves," evidently for the purpose of enabling the Governor to ascertain their respective rights. Nothing further seems to have been done, either by the government or the petitioners, until 1847. On the thirty-first of March of that year we find the Romeros representing to the Alcalde that the Governor had some years before ordered the land to be measured, which had not been done; and that they were without any piece of land whatever, and they beg the Alcalde to provide for them. The Alcalde thereupon directs that the superior order of March 23, 1844, be proceeded to. On the 28th of May, 1847, the Romeros again petition the Alcalde, representing that as early as 1844, the Governor

had sent to the Alcalde's Court an order requiring a measurement of the land; they therefore ask a testimonial of the reports and orders in his office, "so that *we may be granted the land.*" The Alcalde again directs the superior order of March 23, 1844, to be complied with, and on the following day a declaration is made before the Alcalde by Antonio M. Pico, that Don J. Moraga and Don L. Pacheco, the colindantes, had declared that for their parts the surplus of land which does not belong to them "*could be granted* to the Romeros." And, finally, the deed from Romero to Garcia of January 15, 1847, expressly stipulates that both the parties to it should remain subject to the final result, "*if the Governor grant it in ownership,* and *if the contrary should be the case,* then Garcia should lose equally with Romero without reclamation." These documents appear to me to establish beyond doubt that all action of the Government on the application of the Romeros terminated with the order of March 23, 1844, directing the measurement as an indispensable preliminary to a grant, either final or provisional. That during the year 1847, the petitioners made several attempts to have that measurement effected, but apparently without success; and that up to December, 1847, neither they nor any one else pretended that the order of March 23, 1844, was not the last act of the Government in the premises. The parol testimony offered to prove that a grant issued will be briefly adverted to. C. Brown swears that the Romeros have lived on the Rancho since 1840, and that he always understood they had a grant. He does not pretend to have seen it. James M. Tice swears that he has searched for the title papers, but has been unable to find them. J. J. P. Mesa saw a bundle of papers in Romero's hands on his return from Monterey, in 1844. The bundle was not opened, but Romero *said* they were his title papers. He subsequently saw Micheltorena's order for the measurement of the land. He does not pretend to have seen any grant. It is to be observed that Mesa was examined before the Board, and did not mention this circumstance; and that he can neither read nor write. Inocencio Romero, who disclaims any present interest in the land, swears that he had a grant; that he gave it to Mr. Tingley to be presented to the Board, and that since then he has not seen it. He also states that the grant was made by Micheltorena a short time after he arrived in the country, and that Arce, who was then his secretary, delivered it to him. The expediente, however, shows that Jimeno was the secretary, at least until March 23, 1844. And as it is clear that at that date the grant was suspended until a measurement should be made, the title papers seen by Mesa in the hands of Romero on his return from Monterey in 1844, must have been the papers now produced.

The testimony of Mr. G. B. Tingley is the only evidence in the cause which approaches proof that a grant issued. This witness swears that on the trial of a suit between Domingo Peralta and the Romeros, a grant from Micheltorena to the latter was produced in evidence; that the petition was

for a sobrante; that the signatures were genuine; and that one Sanford took the papers, and he has never seen them since. On his cross-examination he states that the papers produced were the original petition, and the marginal order of reference an information signed by A. M. Pico, then a decree of concession, and final a title in form, with a condition that the grant should not interfere with the adjoining grants. If these papers were produced, they must all, with the exception of the grant, have been procured from the archives, for the petition, the informes, and the decree of concession form part of the expediente which remains on file. That expediente is in evidence in this cause, and contains no decree of concession whatever, nor any draft or "borrador" of the formal title delivered to the party, as is almost invariably the case where such a document issued; on the contrary, the last order of the Governor, in effect, refuses, as we have seen, to grant the petition for even a provisional title until a measurement was made, which clearly was not done until after December, 1847, if at all. Besides, if all these papers were produced from the archives and were delivered to Sanford, how does it happen that only a part of them were restored to the archives, and are now produced? José Ramon Mesa, a witness produced on the part of the United States, testifies that he was present at the trial of the suit referred to by Mr. Tingley; that no formal title was produced by the Romeros, but only a provisional license to occupy, subject to the boundaries of the neighboring proprietors, during the pendency of the proceedings to obtain a title. The witness further swore that he heard Inocencio Romero state to Domingo Peralta, in reply to an inquiry as to what title he had, that he had no title; and that he had intended to take steps to get one, but that all he had was a "provisional license." This provisional license is in all probability the order made by John Burton, Justice of the Peace, in April, 1847, on the margin of the Governor's order of March 23, 1844, for the measurement of the land, and was in compliance with Romero's petition to him of the thirty-first of March, 1847. The Justice of the Peace directs that "the interested party will proceed to take possession of the land, according to the order of the Government," etc. As a copy of Jimeno's order, with this marginal entry of Burton's, appears to have been furnished to Romero, and by him sent to Garcia, it is in all probability the "license" referred to. It will not be pretended that any rights could be conferred by such an order of an American Justice of the Peace in April, 1847. The record of the suit between Peralta and the Romeros has been produced. It contains no evidence whatever even tending to show that a grant was produced at the trial. Antonio M. Pico, a witness produced by the claimants, swears that he received an order from the Governor to put the coterminous neighbors, Pacheco and Moraga, into possession of their land, and to measure the same for the purpose of separating them from those of the Romeros; that he was directed by the same order to put

the Romeros in possession of the surplus ; that he summoned the colindantes, but they did not appear : that he did not then execute the order, but repeated the summons to them ; that the Romeros made a complaint to the Governor, and he, the witness, received from the latter a new order to carry the former into effect, upon which he told the Romeros to go there—which they did in 1844. This witness explicitly states that no title to the land in favor of the Romeros was ever exhibited to him. The orders referred to by Pico are obviously those contained in the expediente. The first order did not, as he supposes, direct him to put the Romeros in possession, but only to measure the land and certify the result, "so that it might be granted." Romero's complaint or petition to the Governor, stating the failure of the alcalde to measure the land, and asking for a provisional grant, we also find in the expediente, and also the second order of the Governor, which, like the former, only directs the measurement of the land—the Governor having, as we have seen, adopted Jimeno's recommendation that the land should be measured, and Soto and Romero should present themselves before any grant should issue. On the parol proofs alone I should come to the conclusion that Mr. Tingley is mistaken in supposing that a grant for the land was ever produced. But the evidence afforded not only by the expediente, but by the repeated declarations of the Romeros themselves in their various petitions and in the conveyance to Garcia, remove every possible doubt on the question. The facts of the case are unmistakable. The Romeros solicited land, which the Governor was disposed to grant. He directed a measurement preparatory to making the grant, and this measurement never was effected. I cannot perceive how this Court can recognize these proceedings as giving any title to the lands. It may be admitted that in 1844 they went upon the land, as stated by Pico—though, if so, it is singular that John Burton, Alcalde, should, in April, 1847, have ordered "the interested parties to proceed to take possession of the mentioned lands, according to the order of the Government." But this occupation, not authorized, so far as it appears, by the Government, and only made in pursuance of a verbal permission of Pico, and without the measurement of the land, as required by both orders of Micheltorena, can hardly be deemed to have conferred any title, either legal or equitable, upon the claimants. The case is, perhaps, a hard one, for there seems no reason to suppose that the grant would have been refused if the measurement had been made and Soto's rights had been found to have been forfeited. But no grant, either perfect or inchoate, was made, nor any promise given that one should be made. The petitions were favorably received, a provisional grant refused, and a measurement directed. There the action of the Goverment ended, and certainly such proceedings did not confer such a right of property in the land as this Court can recognize. The claim must be rejected. (June Term, 1857.)

ALICE MARSH, *claiming the Rancho Los Meganos, Appellant, vs.* THE UNITED STATES.—Claims for twelve leagues of land in Contra Costa county, rejected by the Board, and appealed by the claimant. The claim in this case is for a tract of land called "Los Meganos" granted to José Noriega, October 13, 1835, and approved by the Territorial Deputation, October 15, 1835. The final documents and titulo issued December 2d of the same year. The original grant was not produced to the Board, nor was any satisfactory evidence of its contents given. The expediente, however, containing the petition, informes and decree of concession, was found duly archived, and on these documents, together with parol proof that the titulo had in fact issued, the claimant relied for confirmation. In his petition, Noriega set out the boundaries of the land solicited with some particularity, and states its extent to be four leagues from south to north, and three from east to west. Inasmuch as the decree of concession and the approval of the Deputation showed that the lands of "Los Meganos" had been granted, it was contended that the lost titulo must have embraced the land solicited in the petition. It was not, however, urged that all the land embraced within the boundaries had been granted, and the claim was confined to a tract of twelve square leagues, which had been, at the instance of the claimant, surveyed by the Surveyor-General. By this survey, the last line which enclosed the Rancho had been so run as to include the precise quantity of twelve leagues. Had the Surveyor's lines been extended so as to embrace the entire tract according to the principles on which the survey was founded, the land would have been found to be about fifteen square leagues in extent. A survey, according to the description contained in the petition, would, it is observed by Mr. Commissioner Felch, embrace some twenty or twenty-five square leagues of land. Since the cause has been pending on appeal, the original record of the titulo has been produced from the archives, where it is set out at length. The fourth condition states the extent of the granted land is to be a little more than three square leagues, and it contains the usual direction for a judicial measurement and a reservation of the sobrante. It is urged that this limitation should be disregarded as being repugnant to the obvious intention of the grantor, and probably introduced by mistake. It is not, perhaps, very clear what the claimant supposes herself entitled to; whether she contends that the grant should be treated as a grant by metes and bounds, and the whole tract embraced within the boundaries mentioned in the petition should be confirmed to her, to the extent of twenty or twenty-five leagues, or whether, as it appears to have been admitted before the Board, she should be restricted to the quantity of twelve leagues, according to the survey procured to be made. It is presumed, however, that independently of the limitation contained in the fourth condition, it would not be contended that the Governor could have intended to grant a tract of twenty or twenty-five leagues in extent, when the petitioner himself stated

it to contain only twelve leagues, and two of the witnesses a much smaller quantity; and such seems to have been the view taken of the grant by the counsel for the claimant.

The grant cannot, therefore, be treated as a grant by metes and bounds, and the only question is, which of the specifications of quantity shall govern—that contained in the petition or that contained in the grant? It is urged that the Governor by his decree of concession, and the Deputation by confirming the title to "Los Meganos," clearly indicated their intention to grant the tract as described in the petition, and of the extent therein mentioned. Had the boundaries of this tract been found to embrace only the quantity stated in the petition; had the attention of the Governor been particularly directed to the question of its extent; had he been apprised of its extent by the testimony of witnesses, and with these facts before him, repeated in his concession, and in the title, the boundaries as set forth in the petition; and had the deputation confirmed with express reference to those boundaries, we might have supposed, as in the case of Rosa Pacheco, that the limitation in the condition was the result of a clerical error—provided that in attributing to the Governor the intention to grant by metes and bounds, we did not suppose him to have exceeded the quantity of eleven leagues to which his granting power was limited. But in this case the proceedings show, that in all probability the limitation in the condition accurately expressed the intention of the Governor and of the Assembly. The petition was referred to the Alcalde of the Capital to take information, by the oaths of three competent witnesses, as to the qualifications, etc., of the petitioner, and the extent and character of the land. One of them states that the tract petitioned for may be three leagues long, and in width from two leagues to less than one-half a league. The second witness states its extent to be about two and one-half or three leagues in length, and from one-half to two leagues in width. The third witness states it to be four or five leagues in length, and three in breadth. It thus appears that by the evidence of two out of three witnesses, the Governor and the Deputation were apprised that the extent of the land of "Los Meganos" was about three leagues. When, therefore, they granted the land by that name, it was at least as probable that they intended a tract of the extent sworn to by the two witnesses, as of the larger extent sworn to by the third, or as represented by the petition. The limitation in the condition of the grant removes all doubt upon the subject, and unequivocally expresses the intention which, without it, we might well have attributed to the grantor. The claim to twelve leagues rests entirely upon the supposition that the Governor intended, by the term "Los Meganos," a tract of the extent represented by the petitioner. But when we find him informed by the depositions of two witnesses that the land of that name only included about three leagues, there is surely as much reason to suppose that he meant

a tract of the smaller extent as of the larger. There is, therefore, nothing repugnant to the apparent intention of the Governor or the Deputation in the introduction of the limitation of quantity in the fourth condition. Nor can I perceive on what grounds the Court would be authorized to strike from the grant so important a part of it. As the grant can in no case be deemed a grant by metes and bounds, the words "a little more than," which precede the words "three leagues," are not susceptible of any definite construction. They were probably inserted as an authority to the judicial officer, slightly to increase the quantity for convenience of boundary, or similar reasons. As no such discretion can be confided to the Surveyor-General, those words must be rejected for uncertainty, and the claimant confirmed to the precise quantity of three square leagues, to be located within the boundaries described in the petition, in the form and divisions prescribed by law for surveys in California, and embracing the entire grant in one tract. (December Term, 1857).

DECISION OF THE SECRETARY OF THE INTERIOR IN THE MATTER OF THE SURVEY OF THE RANCHO EL SOBRANTE, IN CALIFORNIA.

DEPARTMENT OF THE INTERIOR,
Washington, February 23, 1882.

To the Commissioner of the General Land Office—SIR: I have considered, on appeal from the decision of your office of February 26, 1881, the matter of the survey of the California private land claim known as El Sobrante Rancho, situate in the counties of Contra Costa and Alameda, and confirmed to Juan José and Victor Castro by the Board of Land Commissioners and the United States District Court for the Northern District of California, under the Act of Congress approved March 3, 1851 (9 Stats., 631).

Such facts, appearing of record in your office, as are necessary to a proper understanding of the main questions presented for consideration, will be stated as briefly as practicable.

On the 26th of May, 1852, the said Juan José and Victor Castro, by their attorneys, H. W. Carpentier and John Wilson, filed in the office of the said Board of Land Commissioners a petition in which they set forth, among other things, that on the 22d of April, 1841, they presented their joint petition to Juan B. Alvarado, then Governor of Upper California, "for a grant of all the vacant (*sobrante*) land lying between the Ranchos San Antonio, San Pablo, Pinole, Valencia, and Moraga, being the surplus or overplus left between the said Ranchos after the boundaries to the Ranchos" should "be ascertained and settled;" that "on the 23d of April, 1841, the said Alvarado, so being Governor, and having full power and authority to do so, granted the land as prayed for in the said petition," and directed the petitioners "to appear anew before the proper authority with a map of the land so asked * * * as soon as the boundaries of the Ranchos named in said petition

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* * * should be ascertained, regulated and settled;" that they had always been ready to comply with the direction of the Governor to present themselves anew to the proper authority, with a map of the land thus conceded to them, but that the boundaries of the Ranchos named had not been ascertained and settled; that "the said Victor, several years before the date of the grant, had settled upon the land so granted them, had built and resided in a house, and cultivated fields thereon;" that both the petitioners "pastured their cattle, horses, etc., upon it," the land granted, "before the grant was made," and had continued to do so ever since; that the said Victor had "constantly since resided thereon," and had cultivated three different Ranchos thereon, and had, forthe last fourteen years (prior to presentation of the petition to the Board), "had and held (and which was known to the owners of the neighboring Ranchos mentioned in the grant * * *) exclusive and continued possession thereof;" and the petitioners prayed that they might "be allowed to intervene in the cases arising out of the said Ranchos when the boundaries thereof" were to be investigated, so that justice might be done them and they obtain "all the vacant (*sobrante*) land lying between the said Ranchos after their boundaries are properly adjudged and regulated," and that their grant might be confirmed and made valid to them "according to the full intent of the grant at the time the same was made." (Record of Petitions, vol. 1, p. 460, *et seq.*, Land Commission of California.)

On the same day, to wit, May 26, 1852, the Castros filed another petition, in which they represented, as before, that they had petitioned for a grant April 22, 1841, of "all the vacant (*sobrante*) land lying in between the Ranchos of San Antonio, San Pablo, Pinole, the ranch of Valencia and the ranch of Moraga, being the overplus lying between these several Ranchos, which lie in the county of Contra Costa;" that on the 23d of April, 1841, the Governor granted the same to them, "as they petitioned," and directed them to "present themselves anew before the proper authority, accompanied by a map of the land so granted, so soon as the boundaries of the Ranchos named should be ascertained and settled; * * * but that the boundaries of the said Ranchos" had never been ascertained and settled. They therefore prayed the Board to ascertain and settle said boundaries, and then they would comply with all their duty in the premises. They also stated that they would prove that they had been "in the actual possession of said *sobrante* or vacant land so granted them ever since the date of the said grant," and that they had "had on it a large stock of cattle, horses, sheep, etc."

They further alleged that the grant had not been approved by the Departmental Assembly, "because the boundaries of the adjoining Ranchos had not been ascertained," and set forth other matters not necessary to be stated here.

They again prayed the Board to confirm their claim, etc. (Ib., p. 634–5.)

Whether this petition was to amend the one first herein referred to, or *vice versa*, does not appear; but the two may be taken together as the petition of the Castros to the Board of Land Commissioners.

It may be well here to state that about the year 1853, after said petition to the Board was filed, and before the claim was confirmed, the county of Contra Costa, in which the petitioners alleged their land to be situated, was divided, and part of it included in the county of Alameda. There is, consequently, no variance between the general location called for in the petition as in Contra Costa county, and that in the Board's decree as in the counties of Contra Costa and Alameda.

In support of their claim the petitioners introduced in evidence the original petition and concession, or grant, and a translation thereof, which translation was certified as correct by George Fisher, secretary to the Board. This official translation of said petition and grant reads as follows:

PETITION.

To his Excellency, the Governor: The citizens, Juan José and Victor Castro, natives of this Department, and residents within the jurisdiction of San José de Alvarado, present ourselves before your Excellency in the most proper and respectful manner, and represent that, being desirous of being finally settled upon land of our own, for the purpose of devoting ourselves to the labors of agriculture and the raising of cattle, in order by these means to obtain the very necessary means of subsistence for our numerous increased families, which is of such vital importance, we beseech your Excellency that you will deign to grant unto us a piece of vacant land which is situate on the immediate limits (inmediaciones) of San Antonio, San Pablo, Pinole, the farm (rancho) of Valencia, and the farm of Moraga, which land is the overplus (*sobrante*) of the ranches aforesaid.

Wherefore we humbly pray, etc.

JUAN JOSE CASTRO,
VICTOR CASTRO.

MARGINAL CONCESSION OR GRANT.

MONTEREY, April 23, 1841.

As the parties interested petition for in this representation so the land of which they make mention is granted unto them, they remaining under obligation to present themselves anew, accompanied by a map of the land, so soon as the boundaries of the neighboring land owners shall be regulated.

ALVARADO.

(Record of evidence, vol. 19, p. 107, Land Commission, California.)

Testimony was introduced to prove the genuineness of the grant, its character, the settlement of Victor Castro thereon, the possession of the Castros as alleged in the petition, and also some testimony concerning the

boundaries of the Peraltas' grant of San Antonio, and the case was submitted for decision, whereupon, on the 3d day of July, 1855, the following opinion and decree were rendered by the Board of Land Commissioners:

OPINION.

No. 96 Juan José and Victor Castro, vs. *The United States.* } For a *sobrante*, in the county of Contra Costa.

The evidence in this case establishes the following facts: That the petitioners presented their expediente for a *sobrante* of land lying between Ranchos named in said expediente, and in pursuance of said expediente, Juan B. Alvarado, Governor of California, on the 23d day of April, 1841, issued a grant to the petitioners, and requiring them to report a plat of the same as soon as the adjoining Ranchos could be surveyed and the extent of the *sobrante* ascertained, which survey has not been had of said Ranchos so as to enable the petitioners herein to define with certainty the boundaries of their said *sobrante*, and a large amount of testimony has been taken for the purpose of settling the boundaries, which is rendered inapplicable to the merits of this claim by the decision of the Supreme Court of the United States in the case of Fremont.

The grant offered in evidence is proven to be genuine, and the proofs in the case go to show that it was issued to the grantees in consideration of services rendered to the nation and for supplies furnished for the use of the Mexican Government.

We think this claim a valid one, and a decree will be entered confirming the same.

DECREE.

Juan José Castro and Victor Castro, vs. *The United States.* } No. 96.

In this case, on hearing the proofs and allegations, it is adjudged by the commission that the claim of the said petitioners is valid, and it is therefore decreed that the same be and hereby is confirmed.

The land of which confirmation is hereby made is situated in the counties of Contra Costa and Alameda, and is the surplus (*sobrante*) which on the 23d day of April, A. D. 1841, the date of the decree of concession to the present claimants, existed, lying between the tracts known as Ranchos of San Antonio, San Pablo, Pinole, Moraga, and Valencia, reference being had to the original expediente on file in this case. (Record of Decisions, vol. 3, pp. 106 and 107, Land Commission, California.)

The case was taken to the proper United States District Court, as provided in section 9 of the Act of 1851, above referred to, and such proceedings

were had before, and decree entered by the Court as made the decree entered by the Board the final decree in the matter.

The contest now here on appeal arose over a survey of the claim thus confirmed, which was executed by Deputy Surveyor William Minto, in 1878, under contract with the Surveyor-General of California, approved by your office. The field notes of the survey were returned to the Surveyor-General's office August 26, 1878, and from them a plat was made, after which, in September and October, 1878, notice of the execution of the survey and plat was duly published under Section 1 of the Act of July 1, 1864, (13 Stats., 332), and the survey and plat were retained in the office of the Surveyor-General for inspection, as required by law.

Many objections to the survey, protests against the surveying of the claim as demanded by the owners thereof, and interventions in the case were filed, some before and others after the period of ninety days from the first publication of notice had expired; and thereunder a vast amount of testimony was introduced before the Surveyor-General, which was forwarded with the appeal. It is unnecessary to pass upon the status of the various objectors, protestants, intervenors, or to specify those who appeared in time and showed such interest as entitled them to be heard, and to dismiss the proceedings of all others, under the rule laid down by the Department May 28, 1879, in the matter of the survey of the Rancho El Corte de Madera del Presidio (Copp's L. O., vol. 6, p. 52), for the reason that the case is appealed by parties having a proper standing therein, who have raised every point, it seems to me, that the circumstances of the case admit, or that arises in the case.

I need not further recite connectedly the history or facts of the case, enough having already been stated to develop the principal questions involved; but such other matters of record in your office as shall seem proper to be considered will be referred to and discussed as occasion may require.

It is proper here to state my reasons for not using and discussing the testimony of witnesses taken before the Surveyor-General. I have not done so for the reason as to one branch of the case no such testimony is admissible, and as to the other, from my view of the case, none of it is needed. The explanation is this: The decree is said to be ambiguous. Now, if there is a patent ambiguity, it cannot be explained by testimony unless the terms used are wholly indefinite and equivocal, and convey on their face no certain or explicit meaning, and the decree itself furnishes no materials by which the ambiguity thus arising can be removed. In such a case, rather than the claim which has been adjudicated upon the principles of equity (Sec. 11, Act. of 1851, 9 Stats., 633), should entirely fail, the light of intrinsic evidence may be brought in to ascertain the intention of the Board. But, in my opinion, the decree is not in such a condition. I think that any patent ambiguity in the expressed decree can be explained

by reference to such matters, as, under the rules of interpretation applicable to this case, may properly be examined for that purpose as a part of the decree. It follows, therefore, that any ambiguity appearing upon the face of the decree itself must be removed by construction and not by averment, and hence upon this branch of the case the testimony aforesaid is inadmissible.

The latent ambiguity of the decree can, in my opinion, be sufficiently explained by the records of your office or those of the Surveyor-General's office, and therefore the testimony of witnesses was not, and is not, needed in this case. In other words, that which was confirmed by the decree of the Board can be so surveyed as to do substantial justice from light afforded by the records of the land department, and no testimony *dehors* the records would make the matter more certain.

The decree of confirmation in this case is final and conclusive as between the United States and the Castros, or those claiming under them. If there were error or mistake in it the only remedy was by appeal. The appeal from the decree of the Board having been dismissed by the District Court, the decree must forever stand as the court thus made and left it. There is no authority or jurisdiction in any tribunal to correct, alter, amend, or annul it. Nothing remains to be done except to execute it according to its true intent as the law provides. If it is ambiguous and requires construction, then this must be done under the rules of the common law. The decree must serve as the guide to the Surveyor-General in making a survey in execution of the same. It is the duty of the Commissioner of the General Land Office to see to it that the survey conforms as nearly as practicable to the decree, and finally, the Secretary of the Interior, by virtue of his supervisory powers and appellate jurisdiction, has authority to review the action of the Commissioner in the premises and direct how the survey shall be made. Each of these several propositions of law will be found fully sustained by some one or more of the following authorities: Higueras *vs.* The United States (5 Wall., 827, 828, 830, 832, 834); United States *vs.* Halleck (1 Wall., 439); United States *vs.* Billings (2 Wall., 444); the Fossatt case (*ibid.*, 649); United States *vs.* Fossatt (21 How., 447); United States *vs.* Sepulveda (1 Wall., 107); 12 Opins. Attorneys-General, 250; Snyder *vs.* Sickels (8 Otto., 203); sections 13 and 15, act of 1851, 9 Stats., 633, 634; sections 1, 6, 7, act of 1864, 13 Stats., 333, 334; section 1, act of 1812, 2 Stats., 716; section 1, act of 1836, 5 Stats., 107; section 3, act of 1849, 9 Stats., 395; section 453 Revised Statutes; and decisions of this Department of March 3, 1881, in the matter of the survey of the pueblo lands of San Francisco, and of May 21, 1881, in the matter of the survey of the Rancho San Jacinto Nuevo y Potrero.

It has been contended in argument by some of the able counsel that the claim of the Castros was not such as, according to the decision of the

Supreme Court in numerous cases, should have been confirmed; because the paper constituting the petition and concession was in the hands of the Castros until the organization of the Board of Land Commissioners, and until it was filed in the office of the Board; because there was no map accompanying the petition, no reference by the Governor of the petition for information, no report upon the petition by any government officer, and the grant was not made matter of record in the archives of the Mexican Government; and hence, that the only title to consideration which the claim has is the decree of confirmation. For these reasons it is contended that, as to the claim, the construction of the decree should be *strictissimi juris.* Others contend that the doctrine applicable to public or legislative grants should be applied in construing this decree; that it should be strictly construed as against the confirmees. On the other hand, counsel for claimants contend that the doctrine above mentioned does not apply to decrees, especially not to a decree under the Act of 1851, founded upon the principles of equity, and that as to such a decree the doctrine of liberal or equitable construction should be applied.

As to the first point, it is only necessary to say that the tribunal created by law to execute the decree cannot go behind it. The presumption is that the Board and the United States District Court did their duty in the premises, and adjudicated the case upon the laws and principles by which they were required to be governed as provided by section 11 of the said Act of 1851, and hence, that the decree is valid and binding upon all parties thereto. Therefore, if construction is necessary, the decree must be considered as entitled to the same respect and consideration as any other final decree of confirmation under said act.

As to all the foregoing propositions it may be said that the decree must be executed according to its true intent and meaning, and that construction should not be employed to any other end.

Sedgwick, in his work upon Construction of Statutes, etc., after having examined many decisions of courts bearing upon the subject of strict and liberal construction, concludes a long chapter by giving the judiciary and the legal profession, in the form of rules, the benefit of his extended researches, from which I make the following quotations:—

"The intent of the legislature should control absolutely the action of the judiciary; where the intention is clearly ascertained, the courts have no other duty to perform than to execute the legislative will, without any regard to their own views as to the wisdom or justice of the particular enactment.

"The idea that an act may be strictly or liberally construed without regard to the legislative intent, according as it is viewed either as a penal or remedial statute, either as in derogation of the common law or beneficial innovation, is, in its very nature, delusive and fallacious.

"In cases where the intent of the legislation is ambiguous, and the effort to arrive at it is hopeless, and in these cases only, does the power of construing a statute strictly or liberally exist." (Sedgwick on the Construction of Statutory and Constitutional Law, 325 and 326.)

The Supreme Court of the United States, in discussing the doctrine of strict construction as applicable to legislative grants, held that the grant being considered by them could not extend beyond the intent it expressed; that—

"It should be neither enlarged by ingenious reasoning, nor diminished by strained construction. The interpretation must be reasonable, and such as will give effect to the intention of Congress. This is to be ascertained from the terms employed, the situation of the parties, and the nature of the grant. If these terms are plain and unambiguous, there can be no difficulty in interpreting them; but if they admit of different meanings—one of extension, and the other of limitation—they must be accepted in a sense favorable to the grantor." (Leavenworth, etc., R. R. Co. *vs.* U. S., 2 Otto, 740.)

The harmony between the doctrine expressed by the Court and that referred to above is at once apparent. Both agree that the intention must prevail, but when the terms employed are so ambiguous as to render it impossible to ascertain the intention of the framers of the act, then the doctrine of strict or liberal construction may be applied according to the nature of the case. The Supreme Court, in the particular case, held that when the terms admitted of different meanings, one of extension and the other of limitation, they must be accepted in the sense favorable to the grantor. The Court supposed a case wherein it was hopeless, from the ambiguity of the terms employed, to arrive at the intent of the legislature, in which case it was authorized to employ the doctrine of strict construction as to the grantee, or to take that meaning which was favorable to the grantor. A meaning of extension and another of limitation are certainly diametrically opposed to each other, in which case one could be taken to the exclusion of the other. But where no such condition of affairs exists—where the intent can be reasonably ascertained from the whole act or instrument being interpreted—then there is no choice left, and the intent must govern.

In this connection it may be well to advert to the fact that the decree refers to "the original expediente and grant on file in this case." That instrument, therefore, may be read with the decree as a part of it (Sedgwick on Construction, &c., 2d edit., 229 and 230; and Broom's Legal Maxims, 7th edit., 673 *et seq.*, and the numerous cases cited therein); not, however, for the purpose of opening anew any question adjudicated by the Board and District Court, nor for giving to the instrument referred to any other construction or force than that given by the Board and Court, as expressed in

their decree; hence, not for the purpose of changing the meaning of terms that are clear and unambiguous in the expressed decree, but only to explain any ambiguity in the decree itself, (U. S. *vs.* Halleck, 1 Wall., 455; decision of this Department of May 21, 1881, in matter of survey of Rancho San Jacinto Nuevo y Potrero). Wherein the decree, on its face, is clear so far as it relates to the subject matter or the original petition and grant, it must be held to be the construction of the Board and Court upon those instruments, which cannot be questioned here. Furthermore, in referring to the petition and grant in this decree, we can only look to the official translation thereof; we cannot take any other translation, and by it undertake to explain any dubious expression of the decree. The Board had the services of a Secretary "skilled in the Spanish and English languages," a part of whose duty it was to act as interpreter to the Board, as the law provided. (Sec. 1, Act of 1851, 9 Stats., 631). The Secretary certified the translation of the petition and grant above given to be correct. The Board and the District Court gave consideration to the petition and grant, and adjudicated the case in view of that official translation. It follows, upon reasons too apparent to require explanation, that the expert testimony of witnesses before the Surveyor-General, giving a different translation to some of the words in the original petition and concession than that certified by Secretary Fisher, is wholly inadmissible, and that all efforts to inject into the case now any other translation than that which the Board and Court adopted, must fail.

The points raised by the objectors, protestants, etc., are very numerous, and need not be recited here. They are all, in some way, embraced in the three following general questions or propositions:

First. It is contended by the owners of the grant that the decree confirmed to them all the land within the exterior boundaries of the five Ranchos named as colindantes, which should be left or result as surplus upon the final survey of said Ranchos; that their grant is not limited, except as by the exterior boundaries of said Ranchos and their finally surveyed limits, and therefore that the locative call in the decree for land "lying between the tracts known as Ranchos of San Antonio, San Pablo, Pinole, Moraga, and Valencia" should be disregarded in making a survey under the decree.

Second. Some of the contestants insist that the claim confirmed was a piece of vacant land, never within the exterior boundaries of the five Ranchos referred to, nor any of them, but outside thereof and bounded by them.

Third. Other contestants admit that the land confirmed was surplus of said five Ranchos, or some of them, but insist that it must, from the terms of the decree, lie between those Ranchos as finally surveyed, in the sense of being surrounded or partly surrounded and bounded by them.

The better to understand the situation, a short explanation of the location of the five Ranchos mentioned is necessary.

The San Antonio Rancho has the Bay of San Francisco for its western boundary, the ridge of the Coast Range mainly for its eastern boundary, and extends from a small stream called the Cerrito creek, on the north, to the San Leandro creek, on the south, a distance of about twelve miles. This was a grant by specific boundaries, and was surveyed and patented as such.

To the north and northeast of San Antonio, at a distance of about five miles, is the Rancho El Pinole. This, as confirmed, surveyed and patented, was a grant of quantity within larger exterior boundaries. The calls for the exterior boundaries of this grant were natural fixed objects, leaving no uncertainty as to the lines thereof.

San Pablo was a grant of quantity to be located within the boundaries mentioned in the grant, which were the Ranchos of San Antonio, El Pinole, and the Bay of San Francisco; the southeastern boundary being thus necessarily uncertain.

To the east of San Antonio, southeast of San Pablo, and south of El Pinole, was the Rancho of Valencia, called Acalanes. It was a grant of quantity, to be measured within the general boundaries mentioned in the grant as San Pablo, San Antonio, and El Pinole.

South of the Acalanes and east of San Antonio was the Moraga Rancho, called Laguna de los Palos Colorados. It was a grant of quantity, to be measured within the exterior boundaries described in the Governor's formal grant, which virtually, though not expressly, called for San Antonio and Acalanes as colindantes.

The foregoing brief explanation, and the connected map prepared by the Surveyor-General in compliance with telegraphic order from your predecessor of October 24, 1878, from data on file in his office, which map was certified by the Surveyor-General November 22, 1878, or the map subsequently substituted therefor by the Surveyor-General, will give a tolerably correct idea of the country occupied by said Ranchos, and their relative situation both as regards their exterior and their finally surveyed boundaries; but as to a part of the exterior boundaries there is some question as to their being accurately delineated on said maps, which will be discussed hereafter.

It will be seen that a large tract of land is left nearly surrounded and bounded by said Ranchos as finally surveyed and patented, in addition to which there were numerous other smaller tracts excluded by final surveys, not surrounded by nor lying between said Ranchos, but within the exterior limits of some of them, most of said tracts being entirely disconnected with the large tract and with each other, and scattered about in various parts, mainly on the outskirts of the general tract embraced by the exterior boundaries of the five Ranchos mentioned in the decree.

Your predecessor, having decided that the decree confirmed to the

Castros all the surplus land of the Ranchos aforesaid—that is, all the land within their exterior boundaries excluded by final survey—and that the said Ranchos were coterminous as to their exterior boundaries in the central portion in the general tract embraced by them all, set aside the Minto survey, and directed a new survey to be made, which should include not only the large tract nearly surrounded by the Ranchos as finally surveyed, but all the other tracts excluded from the final surveys, limiting his award only by the quantity of twenty-two square leagues.

In this, it seems to me, your office did not follow the decree of confirmation, assuming that the tract confirmed was surplus of some of the said Ranchos resulting upon final survey thereof.

The error in the decision proceeds from premises, which, to my mind, are not supported by the relevant facts and the law of the case, to wit, first, that the word "*sobrante*," as used in the grant and decree of confirmation necessarily meant all of the *sobrante* of said Ranchos, and could not be limited by the words designating the particular location of the *sobrante*, nor by the words designating it as a piece—one piece—of land; and, secondly, that it was a grant by name of the *sobrante*, and hence included all of the *sobrante*.

It cannot be maintained upon general principles that power was wanting in the Governor to grant, or in the Board and Court to confirm, as *sobrante* any portion of the surplus of grants of quantity, and define its location and boundaries. As a matter of fact the records of your office will show that more than one such grant has been made of the *sobrante* of a single grant, and the grants thus made have been confirmed and patented accordingly. Now, that the tract confirmed in this case, admitting it to be *sobrante* of some of the Ranchos mentioned in the decree, was limited, seems clear to me, and that the surveyor has no authority to locate or survey any land in any other locality than that mentioned in the decree cannot be successfully questioned. In view of the authorities hereinbefore mentioned no one will deny that the decree of confirmation must be the guide in making the survey, or that the surveyor must follow it. In the United States *vs.* Fossatt (21 How. 449), the Supreme Court, in speaking of the powers and duties of the Board and Courts under the Act of 1821, said:

"But, in addition to these questions upon the validity of the title, there may arise questions of extent, quantity, location, boundary, and legal operation, that are equally essential in determining the validity of a claim."

This doctrine was re-affirmed in the Fossatt case (2 Wall., 707). In United States *vs.* Sepulveda (1 Wall., 107 and 108) the Court said:

"It is true, for the determination of the validity of claims presented, some consideration must have been had of their extent, location, and boundaries. The petition of the claimants must necessarily have designated, with more or less precision, such extent and location."

Yours Truly
Jos P. Jones

In the light of these decisions no one can consistently say that the Surveyor-General, your office, or this Department can disregard the words of the decree that point out the locus of the land confirmed, in making or directing a survey thereof. The decree recites that the land of which confirmation is thereby made "is the surplus (sobrante) which, on the 23d day of April, A. D. 1841. * * * existed lying between the tracts known as Ranchos of San Antonio, San Pablo, Pinole, Moraga, and Valencia."

Is it possible that any land that does not lie between those Ranchos can be surveyed under this decree? By what authority can the Surveyor-General look for land under this decree, except in that locality?

But the Commissioner suggests that the words "lying between," etc., constitute a false description of the land, and that it grew out of the mistaken meaning of the words "en las inmediaciones," in the petition for the grant, which he says were carelessly taken to be translatable by the word "between;" and he further says that the Board did well to refer for greater certainty to the original grant.

The answer to this has already been anticipated. The Board having thus translated and interpreted the grant, there is no tribunal that has the power to change it. Certainly it does not lie with the claimants to object to the translation, for the record shows it to be their own, notwithstanding it was adopted as the official translation. The regulations of the Commissioners, found in journal, vol. 1, p. 24, required every claimant to accompany his petition "by a copy of the original grant and a translation," and the petition of the Castros shows that this regulation was complied with, and the records do not show that said copy and translation were rejected or objected to. Unless the Board was to adopt the translation, if found correct, there was no object in requiring it to be filed.

But the idea that there is repugnance in the language of the grant and that of the decree on this point is not well founded. Referring to the official translation of the petition and grant, it will be found that the Castros petitioned for "*a piece* of vacant land which is situated *on*" (not "*in*" as the Commissioner has it) "the immediate limits (inmediaciones) of San Antonio," etc., "which land is the overplus (sobrante) of the ranchos aforesaid."

Here we find that this tract must be "on the immediate limits of" the said Ranchos. Now, from the very meaning of these words, taking the actual situations of the grants named, the land must lie between them all in the sense of being surrounded, or partly surrounded, and bounded by them. The word "immediate," as here used, means "not separated in respect to place by anything intervening." (See any standard dictionary.) It was one tract that was granted and the same tract was confirmed; and it was not a tract of land, vacant or otherwise, that surrounded all these Ranchos and bounded their outer limits. The bays of San Francisco and San Pablo and the strait of Carquinez put an end to such an idea, even if

the absurdity of the proposition in itself does not. Where else, then, than in the midst of these Ranchos can a tract of land be found that can lie on the immediate limits of each and all of the Ranchos named in actual contact with all of them. There is not the slightest repugnancy between the description in the grant and that of the decree, so far as the words "lying between" are concerned.

But it is urged the word "between" can refer to but two objects, and hence was not the proper expression to use to convey the idea above expressed. Perhaps in a literal, narrow sense this may be true; but a definition is given it in dictionaries like this, "in the immediate space of;" "having mutual relation to two *or more* of;" in fact, the word is quite commonly used with respect to more than two persons or things, as "between us, to go no further, I will tell you something," the pronoun "us" embracing, perhaps, twenty individuals. But, "*qui hœrret in litera hœret in cortice.*" Such verbal criticisms as are indulged in upon the words "lying between," as used in the decree, are of little value in the interpretation of written instruments. The well-known general and comprehensive rule for the interpretation of written instruments is that where the intention is clear, too great a stress should not be laid on the strict and precise signification of words. One who will consider for a moment what other word can be found to describe the locality of a tract of land surrounded, or nearly so, by a number of Ranchos, will soon discover that no form of expression in the English language is better adapted briefly but clearly to define its location than that it lies between them. But if their could be any doubt as to what the Board meant by the use of the words "lying between," in the connection in which they were employed, it would be at once resolved by reference to the petition and grant, as has already been demonstrated.

Suppose, however, that the petition and grant did not make clear the terms in the written decree, and that the Department were required to look beyond them, then I should turn to the Board's finding of facts in the opinion preceding the decree. The Board there says that the evidence establishes the fact that the petitioners presented their expediente for a "sobrante" of land "lying between Ranchos named in said expediente." If this were not satisfactory, then I should read the petitions of the Castros to the Board. In the first one they describe the land as "lying between" the said Ranchos, and, as if to leave no room for doubt as to what they really meant, in their other petition to the Board they describe it as "lying in between" said Ranchos. No one knew better than the Castros where the land was for which they petitioned. Now, with this expression, so oft-repeated, it seems to me that no other locality than the intervening space inclosed (or partially inclosed) by all these Ranchos, could be sought for the location of the piece of land confirmed, even if the original grant did not so effectually settle the question.

But there is no confusion in the decree about this matter. The meaning of the Board and Court as to the locality of the land is plain, especially when the papers referred to in the decree are read.

It is hardly necessary to say more on this point. The mere mention of the rule, which is applicable to this decree as well as to other written instruments, that the whole instrument must be construed together, so that, if possible, every part shall stand, that no words are to be rejected as meaningless and none interpolated or added, would perhaps have been sufficient to answer all that has been said in favor of the rights of the owners of El Sobrante to have other land surveyed than that found to lie between the five Ranchos in the sense in which the Board clearly employed the word "between," that is, within the surroundings of the five Ranchos; not between any two, or three, or four of them, but between all of them.

Whatever the land may be, whether an independent, vacant tract (vacant in the sense of never having been included within the exterior limits of any of the Ranchos named) or vacant surplus land (sobrante, in the sense of having been included in some of the exterior boundaries named in the grants, and vacant in the sense of being subject to grant), it must be found in the locality designated in the decree as above defined.

I am supported in this view by the Supreme Court of California. In the case of Tewksbury *vs.* Derosier, decided November 11, 1881, (The Pacific Coast Law Journal, vol. 8, No. 17, p. 683,) the Court, speaking of this very decree, said:—

"The confirmation of El Sobrante was of lands 'lying between the tracts known as Ranchos of San Antonio, San Pablo, Pinole, Moraga, and Valencia.' The lands in controversy are not between the Ranchos above named, or any of them. On the contrary, they are on the shore of the Bay of San Francisco, and between it and the Rancho San Pablo. They are not even in the vicinity of any of said Ranchos, unless it be the Ranchos San Pablo and San Antonio."

The land in question before the Court, and of which the Court was speaking, is one of the tracts which your office directed to be included in the new survey.

After so much has been said, it is hardly necessary to discuss the proposition that this is a grant *by name*. Surplus is undoubtedly a name, because it is a noun, but it was not a *proper* noun as used by the Castros in their petition. There is nothing in the case to show that it was ever the name of this Rancho at or before the date of this grant. *Sobrante* means in English surplus or overplus. The three words mean the same. There is probably no foreign word that can be translated into our English with more exactness of definition than the Spanish word "sobrante" by the English word "surplus." If the Board in its decree had put in parenthesis the word "overplus," instead of "sobrante," after the word "surplus," the

decree would have meant exactly what it does now, each word being the exact equivalent of the other. The use of the word "sobrante" in parenthesis simply shows that the Board translated it by the word "surplus." The Castros asked for vacant, surplus land.

Whether surplus of vacant public land left in the general tract occupied by the five Ranchos outside of and defined by their exterior boundaries, or of that which should remain within the exterior boundaries, after the quantities of said grants should be surveyed, will be determined next in order. They did not ask for a place known by the name of Surplus, or Lo Sobrante, or El Sobrante; but for *a piece* of vacant, surplus land. That is all the name the Rancho had. That does not fill the well-known definition of a Mexican grant, by name of the place granted, nor the old common law case or illustration of "Black Acre."

The second proposition above set forth presents more difficult questions than the one just disposed of.

The expressed, recorded decree describes the land confirmed as the surplus "which, on the 23d day of April, 1841, the date of the decree of the concession to the present claimants, existed, lying between the tracts known as Ranchos of San Antonio, San Pablo, Pinole, Moraga and Valencia."

The Supreme Court of the United States has, in several instances, described the different kinds of grants which could be made under Mexican law and regulations by governors of the Department of California, thus:— 1st, grants by specific boundaries where the donee was entitled to the entire tract described; 2d, grants by quantity, as of one or more leagues situated at some designated place, or within a larger tract described by out-boundaries, where the donee was entitled out of the general tract only to the quantity specified; and, 3d, grants, or places by name, where the donee was entitled to the tract named according to the limits, as shown by its settlement and possession, or other competent evidence. (Higueras *vs.* U. S., 5 Wall., 828; Alviso *vs.* U. S., 8 *Id.*, 339; and Hornsby *vs.* U. S., 10 *Id.*, 224.)

The claim of the Castros, having been decreed to be valid, should belong to one of the kinds of grants thus defined. It is clear upon the face of the decree that it was not a grant of quantity nor one of place by name. It therefore necessarily falls into the category of grants by boundaries; and as no calls are given for boundaries, except the five Ranchos named, it must be limited by their boundaries and lie between them all. If this be not so, then, although confirmed as valid, the claim is void for uncertainty.

In United States *vs.* Fossatt (21 How., 449), the Supreme Court said that "in affirming a claim to land under a Spanish or Mexican grant to be valid within the law of nations, the stipulations of the treaty of Guadalupe Hidalgo, and the usages of those governments, we imply something more than that certain papers are genuine, legal and translative of property. We affirm that ownership and possession of land of definite boundaries right-

fully attach to the grantee." See also Fossatt's case (2 Wall., 707), and United States *vs.* Sepulveda (1 Wall., 107 and 108). In United States *vs.* Grimes (2 Black, 613), the Court, speaking of the duty of the Land Commissioners under the Act of 1851, said: "It is their duty to establish the boundaries as well as the validity of the Mexican grant as between him (the grantee) and the Government." The Board and Court, then, had power to fix the boundaries as they did.

Now, the presumption in favor of the validity of the decree, and that the Board and Court performed their duties under the law, forces the conclusion that the decree in some manner indicates the boundaries of the claim with more or less certainty, which in executing it must be ascertained with reasonable exactitude; for not to ascertain them would render that void which the Board and Court have affirmed to be valid; hence the decree must be construed, if possible, so as not to make void that which has thus been affirmed as valid, whether the construction be as to patent or latent ambiguity. In doing this, so far as ascertaining the boundaries is concerned, that which is certain should be preferred to that which is uncertain.

Now, as regards these boundaries, the expressed decree seems to be ambiguous, but the ambiguity is mainly latent, and, wherein it is so, it may be explained by matters *dehors* the decree or the documents referred to therein.

While there may be no uncertainty as to the ordinary meaning of the word "surplus" or "sobrante," yet, when applied to land, it seems to me that it may embrace lands differing in condition or status, although it is strongly maintained that it cannot. The ordinary definition of "surplus" is that which remains when use is satisfied; excess beyond what is prescribed or wanted—overplus. Now, was the land confirmed surplus of vacant public land which was left of the general tract out of which the said five Ranchos were to be satisfied, and which was never within the exterior boundaries mentioned in the Governor's grants of the said surrounding Ranchos, and bounded by their exterior boundaries; or was it surplus of those Ranchos, or of any of them—that which should remain of the larger tracts when the quantity to which the donees were severally entitled should be satisfied—bounded by said Ranchos after they should be measured off and segregated?

The decree does not clearly state of what the land confirmed was surplus. But it is insisted that what here may appear to be *ambiguitas latens* and subject to explanation by extrinsic evidence is explained by subsequent terms in the decree, and no other evidence is admissible; that wherein the decree describes the surplus as that "which on the 23d day of April, A. D. 1841, * * * existed, lying between the tracts known as Ranchos of San Antonio," etc., the Board and Court necessarily meant a tract of vacant public land, in the sense of lying without the exterior boundaries named

by the Governor in the grants of said tracts, and hence surplus of the general tract of public land out of which the several Ranchos mentioned were taken, and bounded by their exterior boundaries; that in describing the land as surplus, which existed in 1841, lying between *tracts known* by the names mentioned, those tracts must have had known boundaries, and that a grant of quantity which might be located anywhere within the exterior limits mentioned would not have been referred to as a *known* tract.

But it will be seen that these subsequent terms necessarily lead for explanation and certainty to matters outside the decree itself. To ascertain what surplus existed in 1841, we certainly must look to matters not set forth in the decree. Were the Ranchos mentioned grants from the Mexican Government? Were they completed grants? Were they grants by names of places, or by specific boundaries, or of quantity within larger exterior limits? If of quantity, had they been set off and segregated? If not, what were their exterior boundaries? These and divers other necessary questions are not answered by the decree, and the decree itself necessarily refers us to extrinsic matters. This is latent ambiguity, and the decree is by no means peculiar in this respect.

It is well settled that even the instruments referred to in the decree cannot be read to vary the natural import of the language used, if there be no uncertainty therein, nor to control the description of boundaries that are certain and free from ambiguity, but only to explain an ambiguity (U. S. *vs.* Halleck, 1 Wall., 455; decision in San Jacinto Nuevo y Potrero, above cited), and the same may be said of all extrinsic evidence resorted to.

Now, looking at the petition and grant referred to in the decree we find that the Castros petitioned for "a piece of vacant land which is situated on the immediate limits (*inmediaciones*) of San Antonio, San Pablo, Pinole, the farm (Rancho) of Valencia, and the farm of Moraga, which land is the overplus (*sobrante*) of the Ranchos aforesaid." Here we find the land described as both "vacant" and "sobrante;" but in terms as *sobrante* of the Ranchos mentioned in the petition. What is meant by the word "vacant" as used in the petition? Does it mean land that was vacant in the sense of not being or having been within the exterior limits of any of the Ranchos mentioned, or vacant in the sense that it was not occupied by any of the grantees of the said Ranchos, nor claimed as being included in the quantity to which they were respectively entitled and hence subject to grant? It would appear from the further description thereof, "which land is the overplus (*sobrante*) of the Ranchos aforesaid," that the latter was meant.

The Governor granted to the Castros the land of which they made mention in the petition, and by no other description than that which they had employed, holding them "under obligation to present themselves anew, accompanied by a map of the land, so soon as the boundaries of the neighboring Ranchos should be regulated."

It would appear from this that the boundaries by which the tract was to be defined were not then fixed and certain, and that the lines of the neighboring Ranchos had not then been regulated.

As has been explained, San Antonio was a grant by boundaries, which were as certain then as now; but San Pablo, Pinole, Acalanes, and Laguna de los Palos Colorados were grants of quantity, which quantity had not been segregated in 1841. Enough appears in the records of the Land Commissioners to show that as San Pablo and Acalanes were claimed and occupied in 1841, there was land in the locality named by the Castros, which would not be taken to satisfy the quantity to which these grants were respectively limited.

The establishment of the Castros, owners of San Pablo, was on the part of the Rancho adjoining the bays of San Francisco and San Pablo, and that of Valencia was considerably east of the western exterior boundary of the large tract. It was well known that there was more land lying between these Ranchos as thus possessed than would be required in satisfying the quantity to which the respective donees were entitled. The northern limit of Moraga's Rancho would not interfere with this *sobrante*. The boundaries of San Antonio and the exterior boundaries of Pinole, as defined in the grant in 1842, were natural objects; and if surplus was thrown off of neither of them there would still be a large tract between them, surplus of San Pablo and Acalanes. Now, if all the exterior boundaries of San Pablo, Acalanes, and Moraga's Rancho were clear, then there would have been no difficulty in presenting a map of the *sobrante* asked for, if it was composed of a tract bounded by the exterior boundaries of the five Ranchos mentioned. But it does not appear that it was customary to regulate exterior boundaries of grants of quantity in the sense of establishing them permanently. Consideration was, of course, to be given them, so far as to locate the quantity granted within them; but I think it cannot be questioned that the boundaries to be regulated were such as defined the quantity of the land actually granted, and remained as the boundaries of the land to which the donee was legally entitled under the grant.

This seems to be the view taken by the Board and the Court; for in the finding of facts the Commissioners say that Alvarado issued a grant to the petitioners "requiring them to report a plat of the same as soon as the adjoining Ranchos could be surveyed and the extent of the *sobrante* ascertained, which survey has not been had of said Ranchos so as to enable the petitioners herein to define with certainty the boundaries of their said *sobrante*." If the exterior boundaries of the adjoining Ranchos were the ones to be regulated, then that could have been done much better in 1841, when witnesses were living who would be more likely to know of them than those that can be produced at this late day. Moreover, if the Board had supposed that such boundaries were to be regulated, then as it was their

duty to fix the boundaries with as much certainty as the case would admit, and having the Governor's grants of the said Ranchos before them, and living witnesses to point out their boundaries, they would have found them and set them forth in the decree. But they found that the boundaries to be regulated were to be ascertained by surveys. No survey, to this day, has been made of those exterior boundaries of the grants of quantity. When will the surveys that were to make these boundaries clear and develop the extent of the *sobrante* be made, if the exterior boundaries of the grants were the ones intended? There will have to be further legislation by the Goverment to accomplish this, for their is no provision for surveying other than the land confirmed by the decrees of the Board of Land Commissioners and the Courts, and the five Ranchos have been surveyed and patented. Undoubtedly the Governor referred to the regulation of boundaries that took place under the Mexican land system upon juridical measurement, for that was the "regulation" of boundaries required by law and ordinance, and which usually was expressly provided for in grants. In all cases in which the juridical measurement had not been had under the Mexican Government, this duty of measuring and segregating the lands granted was transferred to and devolved upon our Government; and it is fully performed by our final surveys and patents. Our official surveys take (or rather fill) the place of the juridical measurement required under Mexican law. This has been settled beyond question by the decisions of the Supreme Court. It would therefore appear that the boundaries to be regulated or the surveys to be made, which were to develop the *sobrante* granted and show its boundaries and extent, are those carried into the patents of the said Ranchos.

But suppose this view should be incorrect; then, looking into the condition of the surrounding Ranchos in 1841, no independent, vacant tract, with certain boundaries can be found. The San Pablo grant was to be located within the following limits, taking the description in the Governor's concessions of 1834 and 1835: "Bounded by the Ranchos of San Antonio and El Pinole, and by a portion of the port of San Francisco." The southeastern boundary, according to these calls, was clearly not definite and certain. It is suggested that the diseño accompanying the petition will make the southeastern boundary more certain, but examination thereof throws very little light on this matter. It will not indicate from what points on the boundaries of El Pinole and San Antonio a line should be drawn to form this boundary. The map or deseño here referred to is found in Volume 2 of maps, Land Commission Records, page 421, on which the southeastern portion of the tract, within which the quantity was to be surveyed, is limited only by the border of the map.

The southeastern exterior line of Pablo, drawn on the Boardman map attached to the objections of Edson Adams, does not agree with that drawn by the Surveyor-General upon the connected map hereinbefore referred to.

So it seems that, with all the light afforded by the Surveyor-General's office, and by actual examination in the field (see Surveyor-General's certificate on connected map), skilled surveyors cannot to-day agree as to the southeastern exterior of San Pablo.

In the third and fourth conditions, both in the decree of 1834 and that of 1835, the donees were to solicit juridical possession of the proper judge, who should measure the tract according to law, for the purpose of having the boundaries of the grant marked out, the surplus to remain to the nation for proper uses.

But this measurement was not made by the Mexican Government, and it devolved upon our Government to finish the work that was left undone by the former Government. Our Government has measured the quantity and given it certain boundaries. Were not these certain boundaries the ones that the Governor and the Board referred to as requiring regulation in order to define the boundaries and show the extent of the *sobrante* granted and confirmed, rather than boundaries that are never to be regulated in the sense of being accurately surveyed and established, that are shown to be uncertain and possibly impossible of ascertainment?

Again, take Valencia's Rancho Acalanes. The Governor's grant describes it as "the tract of land known by the name of Acalanes, bounded by the Ranchos of San Pablo, San Antonio, and El Pinole."

It is contended that the large tract out of which the quantity granted to Valencia was to be measured was not bounded by San Pablo, notwithstanding the calls in the grant; because in limiting the quantity in the fourth condition, and directing the judge who should give Valencia possession to measure it conformably to ordinance, the overplus remaining for the use of the nation, etc., it was said that the tract to be measured was "one league in length by three-quarters of a league in width, according as is explained on the map," which was with the record of proceedings; and the map had written on its margin that the place asked for was "situated between the arroyo Galindo and the arroyo Grande," those streams being delineated on the map or diseño. In other words, that the map on which was sketched the country to the northwest as far as the coast, should control, instead of the aforesaid calls of the grant, because it showed the situation of the three-quarters of a square league that was granted as being between the arroyos aforesaid. Upon this showing it is insisted that a vacant tract is developed between the line formed by those two arroyos (Galindo being a tributary to the arroyo Grande or San Pablo creek, with junction southeast of the claimed southeastern exterior line of the Rancho San Pablo) and the southeastern exterior of San Pablo.

Now, if this were true, there would still be the uncertainty as to San Pablo's southeastern boundary; and it is not clear how this boundary could be "regulated" so as to define such tract. But the vacant tract disappears,

admitting the arroyos Grande and Galindo to be the northwestern exterior boundary of Acalanes, for then the southeastern exterior line of San Pablo becomes certain, and comes up to said arroyos. The grant of Acalanes ought not to be held repugnant in its terms if they can be made harmonious. Then if the arroyos Grande and Galindo are the western and northwestern boundaries of Acalanes, the call expressed in the grant for San Pablo as a boundary should not be repugnant thereto; and as the southeastern boundary of Pablo was uncertain, this call brought it to the arroyos aforesaid. But I look upon the language of the fourth condition in Valencia's grant as simply a more specific designation of the locality in which the quantity was to be measured, and not as contradicting the general boundaries within which it was to be located.

It follows, then, that the mentioned Ranchos had coterminous boundaries, and that the land confirmed was the surplus of some of them that should be defined by their boundaries as established or regulated by final survey.

This fulfills the legal proposition that the grant, having been confirmed as valid, necessarily has definite boundaries; and this was its condition in 1841, under the well-known rule that in law that is certain which is capable of being rendered certain. Any other conclusion would result, it seems to me, in inextricable confusion.

It is contended that the tract confirmed could not have been *sobrante* of any of the grants, because the grantees had the right of possession of the entire tract until segregation of quantity, and hence the Castros could not have had possession of other than land not within the exterior boundaries of the grants of quantity. Such an objection might be made to any grant of *sobrante;* still *sobrante* grants have been confirmed, surveyed, and patented. While it is true, as held by the Supreme Court in Van Reynegan *vs.* Bolton (5 Otto, 33), that the right to make selection of the quantity granted rested exclusively with the Government, and could be exercised only by its officers, and that until segregation the grantee had the right of possession of the entire tract within which the quantity was to be measured, yet the discretion to be exercised by the officers charged by law with the execution of decrees in such cases was not arbitrary but reasonable, and was to be so exercised, in view of the record of the case, the situation of the land, the improvements and possession of the donees, and all other circumstances proper and necessary to be considered, as to fulfill the intent and requirements of the decree, and thus do substantial justice between the United States and the confirmees.

For example, no survey would be deemed a proper one that excluded the improvements and actual possession of the donee against his selection of land thus improved and possessed, provided it was within the boundaries called for.

Now, notwithstanding the donees of the grants of quantity in the case

Munson Gregory

might have had the right of possession to the limits of the larger tracts, yet they did not object to the occupancy and possession of the Castros in this case. Why they permitted the Castros to occupy the land is not a matter of just concern of this department. The Castros received a concession of a tract of vacant, surplus land, and the claim thereunder has been confirmed, and the regulation of boundaries of the neighboring Ranchos has developed such a tract in the place called for in the grant and decree. Beyond this it is not profitable or pertinent to inquire.

A tract or piece of land, no portion of which shall lie east of the western line of Acalanes, or south of the northern line of Moraga, or west of the eastern lines of San Antonio and San Pablo, or north of the southern line of El Pinole, as those lines have been established by the final surveys and patents of said Ranchos, will substantially fulfill the decree, and do justice according to the record of the case as between the United States and the owners of the *sobrante* grant.

The next question for consideration is, should the survey of El Sobrante embrace any portion of the Rancho La Boca de la Cañada del Pinole?

As regards the La Boca tract, it is contended by the owners of the *sobrante* title that it was a part of the *sobrante* which existed April 23, 1841, and which on that date was granted to the Castros, and subsequently confirmed to them under the act of 1851; that as it is the duty of the Surveyor-General to follow the decree of confirmation, he has no right to look at the fact that said tract has been patented in making survey of the Sobrante; that it is the duty of the Land Department, under the act of 1864, to include in the survey all the lands included in the decree.

Against this the owners of the La Boca tract refer to the fact that the survey of their claim was ordered into Court under the act of 1860 (12 Stats., 33); that the owners of El Sobrante intervened in that matter and were made parties thereto; that the decree of the Court approving the final survey of that claim was entered by consent of all the parties; and that, therefore, the Sobrante claimants are estopped from demanding that any portion of the La Boca shall be included in their survey, and your predecessor so decided. Cases are cited as supporting this proposition.

As against this position, the *sobrante* owners, some of them at least, argue in effect that under the act of 1851 the Land Commissioners and Courts had no jurisdiction to adjudicate upon title as between third parties, but only as between the United States and claimants; that the primary object of the said act was to separate lands owned by private individuals from the public domain; that confirmation under the act of 1851 simply affirmed that the land embraced by the decree was private land; that the patent of the United States under said act is but a relinquishment of claim, or a quit-claim, to the tract confirmed, and record evidence of the action of our Government upon the claim, operating by relation from the time when

the claim was presented to the Board of Land Commissioners; that such patent is simply conclusive as between the United States and the claimants and the privies of the respective parties; that the District Court of California, under the act of 1860, had no greater jurisdiction, to say the least, than the tribunal created by the act of 1851, for ascertaining and settling private claims; that the matter before the Court under the act of 1860 was simply upon the question of the correctness of the survey, in other words, to determine the question as to whether the survey was an execution of the decree of confirmation, the same as that of the Surveyor-General now under the act of 1864, or formerly under the act of 1851; that parties to proceedings before the Court upon approval of a survey under the act of 1860 are only bound by the decrees, and estopped as to the subject-matter before and within the jurisdiction of the Court, and that all questions of title between third parties, claiming under grants of Mexican origin were necessarily referred to the judiciary; and cases in support of these propositions are cited.

The foregoing statement is made in order to develop the positions of the contending parties in this matter. However, I do not think myself called upon, as I understand the case, to decide or express an opinion as to which is the correct one. It would undoubtedly be necessary to decide the question were it shown that the land patented as the La Boca de la Cañada del Pinole was vacant, *sobrante*, land within the meaning of and embraced by the decree in the Sobrante case. To my mind not only is this not shown, but it seems to me that the records of your office and of the Surveyor-General's office show beyond question that the land patented to the La Boca claimants was not *vacant*, *sobrante*, or *surplus* of any of the five Ranchos mentioned, *existing* as such April 23, 1841, within the true intent and meaning of the decree of confirmation of this case.

The records prove with reasonable clearness that it was neither vacant nor *sobrante* at that time, and it was well said by one of the contestants in argument, that as the Government has patented the La Boca, the survey of the Sobrante should not, in any view of the case, invade such patented territory except upon clear proof that the land so patented is embraced by the decree of confirmation to the Castros.

The question whether the La Boca was vacant and *sobrante* or surplus land of any of the Ranchos mentioned in 1841, and is embraced by the decree of confirmation, is one to be determined by the officers or tribunal upon whom the duty of executing the decree is imposed by law; as only vacant, surplus land, within the meaning of the decree, can be surveyed.

In the first place, the La Boca was not a grant of the surplus or *sobrante* of El Pinole, or any of the other Ranchos mentioned as boundaries of El Sobrante. It was not a *sobrante* grant in any sense, according to its terms; but it was a grant of quantity to be surveyed within designated boundaries.

The Land Commission record shows that Ignacio Martinez claimed to

have received a grant of the place called El Pinole as early as 1823; he so represented to the Mexican authorities in 1834, stating that he had lost his title papers, and soliciting a renewal of the same. Record evidence was not found to support his allegations, and he was required to petition anew, which he accordingly did November 10, 1837, stating that as he had mislaid or lost the grant issued to him in 1823, and as it was impossible for him to make it appear that such a grant had been made, he was under the necessity of making a second petition. In this petition he described the land as "three sitios, which are 'Cañada del Pinole,' and that which is called 'La Hambre,' straits of Carquinez, running towards the 'Mar de la Norte,' that is called the Bay of Sonoma, adjoining the mouth of the same Cañada del Pinole, as is explained in the adjoining plan." For reasons set forth in the petition he asked for an additional league. (Record of Evidence, vol. 15, p. 427.)

Thus it will be observed there was nothing in the archives of the Mexican Government in 1837 designating boundaries to the place known as El Pinole; and, as proceedings on the petition of Martinez were pending in 1841, when the grant was made to the Castros, and were not terminated until June 1, 1842, when the first and only recorded grant to Ignacio Martinez was issued, it follows that El Pinole had no boundaries recognized by the Mexican Government in 1841, and consequently that the boundaries declared in the grant to Martinez, in 1842, are the true boundaries of El Pinole, within which the four leagues granted to Martinez were to be surveyed, and within which the boundaries of quantity were to be regulated, as provided in the grant and decree in the sobrante case. That these boundaries did not include La Boca de la Cañada del Pinole will appear from what follows.

While proceedings were pending upon the petition of Ignacio Martinez, Felipe Briones, on the 24th day of July, 1839, petitioned for the grant of the place known by the name of El Pinole, stating that it was then more than ten years that he had possessed said place, comprising three "sitios de ganado mayor," more or less, as designated upon the plan accompanying the petition. Briones further alleged that he had built a house on the land prayed for, "planted a garden of much consideration, and cultivated some lands," by which and "some milking cattle" he had maintained his family, composed of eighteen persons. This petition was referred to Ignacio Peralta, a Justice of the Peace, who reported thereon July 29, 1839, that the Rancho of El Pinole had been occupied by Don Ignacio Martinez since 1824, by order of the Governor pro tem., Don Luis Arguello, and that Briones, in his petition, did not make mention of the land that he (Briones) had occupied, called "El Corral de Galindo," where he kept his cattle, and hence that it would appear as though his petition operated injuriously by asking for the Cañada del Pinole, and not stating that he held the aforesaid "Corral de

Galindo." Peralta further reported that Briones went on the land under an arrangement with Martinez, entered into in 1831, the parties "agreeing that their ends should meet"; that Briones "should assist at rodeos, and place his small houses immediate for company."

The report of Peralta does not make it clear whether Briones intended to procure a grant of all the land occupied by Martinez and himself, or only for that occupied by himself, giving the land he desired the wrong name. But the tract called "Corral de Galindo" embraced a part of the Cañada of Pinole, and it is probable that Briones intended to ask for the land occupied by himself, known as well by the name of La Boca de la Cañada del Pinole and San Felipe, as Corral de Galindo, as facts hereinafter mentioned will show. However this may be the matter of the several petitions was pending when the Governor made the grant to the Castros, and was not finally settled until more than a year afterward by the issuance of grants to Martinez and the widow of Briones, respectively, (Briones having died about the year 1840.) That the Governor considered Briones entitled to the land occupied by him, and so decided before he issued a grant to Martinez; that Martinez so understood the matter, and acquiesced in the Governor's decision; and that it was well understood that the tract known as La Boca de la Cañada del Pinole, in the possession of Briones, was not included within the exterior boundaries named by the Governor in his grant of El Pinole to Martinez, will appear from the following:

On the 1st of June, 1842, evidently having in view both of the petitions of Martinez and Briones, and of the report of Peralta, the Governor, Alvarado, who made the grant to the Castros, issued a grant to Ignacio Martinez. In the concession of that date, the tract within which the quantity was to be surveyed was described as "commencing at the mouth of the Cañada del Pinole, eastwardly along the same *until it adjoins with the Corral de Galindo*, from *this place* to La Cañada de la Hambre, and from thence to the straits of Carquinez."

In the formal title issued the same day the four square leagues granted were to be surveyed within the following boundaries: "By the name of Pinole, its limits being from the mouth of the ravine (Cañada) of the same name, in an easterly direction by the same *until it joins with the 'Corral de Galindo;'* from *this place* to the Cañada de la Hambre, and along the same to the Straits of Carquinez, the boundaries to terminate at the mouth of said Cañada del Pinole into the Bay of San Francisco."

Evidently this description was not to include the "place" called "Corral de Galindo," otherwise La Boca, etc. The ravine (Cañada del Pinole) was to be followed *until* it adjoined with the "Corral de Galindo; from this *place* to the Cañada de la Hambre," etc.

The same facts appear, and are placed beyond doubt by the language of the grant to the widow Briones, made twenty days after the grant to Martinez.

The grant to Maria Manuela Valencia, widow of Briones, was made upon her petition of the 8th of June, 1842, in which she set forth *interalia* that she was the "widow of the late Felipe Briones, and established *in the mouth of the Cañada of Pinole* (en la Boca de la Cañada del Pinole);" that for *more than eleven years* she had "lived in peaceable possession of said place, with a considerable amount of stock, consisting of four hundred head of cattle, having also an adobe house, and more than one thousand grapevines, together with some fruit trees;" and she prayed the Governor to concede to her "the legal ownership of the said place, containing three square leagues, as shown by the accompanying diseño." The accompanying diseño distinctly called for the land of Ignacio Martinez as a northwestern, northern, and northeastern boundary (see Record of Maps. vol. 2, p. 489). Her allegations accorded with those of her husband in his petition of 1839 as regards possession and the length of time that the Briones' family had occupied the place, as also with the report of Peralta upon the petition of Briones. The widow's petition, having been referred to the proper judge for investigation and report, was presented to Ignacio Martinez, adjoining owner, who stated concerning the same, June 13, 1842, as follows: "The Señora Manuela Valencia,who petitions for the place, as shown by the annexed diseño, is worthy of being heard, and what she asks may be granted to her, *since it does not prejudice my land.*" (The underscoring in the foregoing quotation is my own.)

On the 14th of the same month, the Judge to whom the petition was referred, Guillermo Castro, reported that, in view of the report of Ignacio Martinez, the tract asked for might be granted to the petitioner.

On the 21st of June, 1842, the land was granted to the widow of Briones, the Governor stating that, in view of the petition, the foregoing reports, "and all other matters necessary to be considered (the other matters necessary to be considered undoubtedly included the former petition of Briones and Peralta's report thereon), Doña Maria Manuela Valencia is declared owner of the place named in Boca de la Cañada de Pinole, bounding with the Rancho of Don Ygnacio Martinez, with that of Don Julio Wil, and with that of Candelario Valencia;" and in the formal grant of the same date the land is described by the same boundaries, being limited in the third condition to three square leagues, as shown by the diseño annexed, the *sobrante* remaining to the convenient uses of the nation. (Exhibit 32, Adams, from the archives in the Surveyor-General's office.) In bounding the general tract out of which the quantity should be surveyed to Mrs. Briones with "the Rancho of Don Ygnacio Martinez," the boundaries of El Pinole, as declared by the Governor a few days before in the grant to Martinez, were unquestionably meant.

When this claim was before the District Court upon petition for confirmation, the testimony of José de Jesus, son of Ignacio Martinez, was

taken. Being asked what he knew in regard to the boundaries of the tract, the witness stated that on the north it was bounded by the Rancho of Ignacio Martinez, father of the witness, called El Pinole; that the original map (*diseño*) was made by him in 1841, and that it was correct; that it was the original map presented by Doña M. M. Valencia to the Governor when she petitioned for the land, and that he made it for that purpose; and that when he made it the houses, corral and garden were on the Rancho as represented on the map. The witness further stated that he became acquainted with the boundaries of La Boca by going over the land with a son of Mrs. Briones for the purpose of making the map; that he had lived on his father's Rancho since April, 1830, and ridden over the La Boca Rancho "thousands of times," and that he was well acquainted with everything connected with it. (Exhibit 58, Blum, from archives in Surveyor-General's office.)

From the foregoing I conclude that the La Boca Rancho was not within the boundaries of El Pinole as established by the Governor's grant in 1842, the first official definition of the exterior boundaries of that place. And taking the facts above stated in connection with the testimony of William Richardson, (vol. 5, 245, Evidence), C. Briones, and Napoleon B. Smith, (vol. 4, pp. 561 and 720, Evidence), delivered to the Board in the case of El Pinole, and the location of the tract called Corral de Galindo, and the Cuchilla de Chemisal, as laid down on the connected map hereinbefore mentioned and on the official map of Mr. Minto's survey, it would appear that the northern patented line of La Boca very nearly represents the calls of the grant and decree in the Pinole case for Pinole's southern exterior boundary in this locality. It follows, therefore, that La Boca was not surplus (*sobrante*) of El Pinole, and as the District Court decreed the claim of Mrs. Briones to be good and valid to the land known by the name of "La Boca de la Cañada del Pinole" to the extent of three square leagues "within the boundaries so described in the grant and map on file in the records," and as the grant and *diseño* call for Acalanes and Pinole for boundaries, and as Acalanes calls for Pinole as one of its boundaries, it necessarily follows, from the situation of these several grants, that La Boca was not surplus of any of the five grants mentioned in the grant to the Castros of 1841, the presumption of law being that La Boca was located within the boundaries called for in the decree of confirmation.

Again, La Boca was not vacant land in 1841, within the meaning of the decree of confirmation in the *sobrante* case. The evidence in the case of the La Boca upon petition for confirmation, as well as that of José de Jesus Martinez, hereinbefore referred to, and that of Peralta in his report, show a continued occupancy and possession from about 1831 till long after April, 1841, by the Briones family, the widow continuing in occupancy and possession after the death of her husband, and that the land was improved by

them as alleged in the petitions therefor of 1839 and 1842. It was the very land occupied and in the possession of her husband that Mrs. Briones petitioned for, and it makes no difference whether it is called La Boca de la Cañada del Pinole, San Felipe, or Corral de Galindo.

In the opinion of the Board in that case, it was stated that the depositions on file showed a long residence on the land by the grantee, and established very clearly a substantial compliance with the conditions of the grant, and that the only obstacle to confirmation was to be found in the proof of boundaries. The decree of the Board rejecting the claim was reversed by the District Court, and the claim was decreed to be good and valid, and it has been surveyed and patented accordingly.

It was manifestly against the policy of the Mexican Government to grant lands to one party that were improved and in possession of another; and petitions were referred to the proper magistrate for the purpose of ascertaining whether they called for lands occupied by others. In the very matter of the petition of Martinez it is seen that, although he asked for land by the name of a place that might have embraced the establishment of Briones, and Briones had no grant from the Government, yet the possession of Briones was recognized as well as that of Martinez, and the land possessed by him was carefully excluded from the grant to Martinez.

Now, as the Governor recognized and protected the possession of Briones; as that possession was continued by his widow, and was of the same land; as proceedings were pending before the Government for a grant of this land at the time of the grant to the Castros; as upon the death of Briones the claim for the grant was continued in the name of his widow, she alleging the possession that had continued since 1831; and as the grant to the widow was made in view of all the proceedings mentioned, and necessarily in consideration of the uninterrupted possession of the Briones family since 1831, it follows that the possession was not a trespass. The presumption is that the final survey followed the decree of confirmation; that it embraces the quantity of land thus possessed as limited in the decree; that it correctly shows the boundaries thereof, and that the land was surveyed within the boundaries mentioned in the decree; and, as the possession which continued from 1831 was not a trespass, it extended to the boundaries of the claim as surveyed and patented; all of which results in this conclusion: That in 1841 the land surveyed as the Rancho La Boca de la Cañada del Pinole was not vacant.

Finally, it seems to me that the Mexican authorities, having jurisdiction in the premises, decided, in 1842, that the land known as La Boca de la Cañada del Pinole was not embraced within any former grant. The reference of the petition of Mrs. Briones to the auxiliary Judge of Contra Costa required him to report whether "the land referred to belonged to any individual, with all other matters that may be necessary." His report, as well

as that of Martinez, and that of Estrada, the Señor Prefect of the district, and the action of the Governor thereon in making the grant to Mrs. Briones, which, he stated, was in consideration of those reports, and all other matters necessary to be considered, amounted to a decision that the land granted was not included in any former grant.

In view of the facts and the legal conclusions relative to this matter, it would be just as consistent to hold that the land surveyed under the grant to Martinez was vacant *sobrante* land in 1841, as to hold that that which was surveyed under the Briones grant was vacant *sobrante* land at that time; and the survey of El Sobrante might as well include the one tract as the other. The grants of Pinole and La Boca are precisely similar in character, and were virtually the result of the final determination of the same proceedings before the Mexican Government pending and undecided April 23, 1841.

I therefore decide that no part of the Rancho La Boca de la Cañada del Pinole should be embraced in the survey of the Rancho El Sobrante.

The Minto survey not only embraces the larger portion of the La Boca, but also a small part of the Rancho Laguna de los Palos Colorados (Moraga's claim) as patented, and does not include all of the land embraced in the decree as herein construed. It is therefore set aside.

The remaining question is with regard to the tract marked "No. 7" on the Boardman map, and as public land on the Minto plat of survey of El Sobrante. I do not consider that that tract lies between the five Ranchos mentioned, within the meaning of the decree, and it will accordingly be excluded from the final survey.

You will therefore direct a new survey to be made of the following boundaries: Beginning at post S. P. No. 67, at the terminus of course No. 195 in the patented line of the San Pablo Rancho; thence in a direct line to post P. R. No. 4, terminus of course No. 4, in the patented line of El Pinole Rancho; thence with the patented line of El Pinole to a point therein at which the westernmost line of the Rancho La Boca de la Cañada del Pinole as patented extended northwardly intersects said line of El Pinole; thence with the patented line of the Rancho La Boca de la Cañada del Pinole to the point at which the western patented line of Acalanes intersects the same; thence with the said line of Acalanes to the north patented line of the Rancho Laguna de los Palos Colorados; thence with the last-named line and the same extended west to the eastern patented line of the Rancho San Antonio; thence northward with the patented lines of the Ranchos San Antonio and San Pablo to the place of beginning.

The decision of your office is modified accordingly, and the papers of the case are herewith returned.

Very respectfully,

S. J. KIRKWOOD,

Secretary.

The following is a list of land claims connected with Contra Costa county, presented to the Commission, pursuant to the provisions of the Act of Congress of March 3, 1851, entitled, "An Act to ascertain and settle the Private Land Claims in the State of California:"—

Elam Brown, claimant for Acalanes, one square league, granted August 1, 1834, by José Figueroa to Candelario Valencia; claim filed February 2, 1852, confirmed by the Commission February 14, 1853, and appeal dismissed November 26, 1856; containing 3,328.95 acres. Patented.

Salvio Pacheco, claimant for Monte del Diablo, granted March 30, 1844, by José Figueroa to S. Pacheco; claim filed February 27, 1852, confirmed by the Commission January 5, 1853, by the District Court January 14, 1856, and appeal dismissed November 24, 1856; containing 17,921.54 acres. Patented.

Robert Livermore, claimant for Cañada de los Vaqueros, granted February 29, 1844, by Manuel Micheltorena to Francisco Alvisu *et al.*; claim filed February 27, 1852, confirmed by the Commission September 4, 1855, by the District Court December 28, 1857, and appeal dismissed December 28, 1857.

Joseph Swanson, Administrator of the estate of William Welch, claimant for Las Juntas, three square leagues, granted February 9, 1844, by Manuel Micheltorena to William Welch; claim filed March 23, 1852, confirmed by the Commission December 20, 1853, and appeal dismissed November 3, 1857; containing 13,324.29 acres.

Heirs of Juan Sanchez de Pacheco, claimants for Arroyo de Las Nueces y Bolbones, two square leagues, granted July 11, 1834, by José Figueroa to J. S. de Pacheco; claim filed April 6, 1862, confirmed by the Commission April 11, 1853, by the District Court December 22, 1856, decision of the U. S. Supreme Court as to the right of appeal in 20 Howard, 261, and decree of the District Court affirmed by the U. S. Supreme Court in 22 Howard 225; containing 17,734.52 acres.

Rafaela Soto de Pacheco *et al.*, claimants for San Ramon, two square leagues, granted June 10, 1833, by José Figueroa; claim filed April 13, 1852, rejected by the Commission November 22, 1853, and confirmed by the District Court February 8, 1858.

Teodora Soto, claimant for Cañada del Hambre and Las Bolsas del Hambre, two square leagues, granted May 18, 1842, by Juan B. Alvarado to Teodora Soto; claim filed April 29, 1852, confirmed by the Commission May 15, 1855, by the District Court April 16, 1857, and appeal dismissed August 11, 1857; containing 13,312.70 acres.

John Marsh, claimant for Los Meganos, four leagues by three, granted October 13, 1835, by José Castro to José Noriega; claim filed May 3, 1852,

rejected by the Commission March 14, 1854, confirmed by the District Court April 9, 1858, and by the U. S. Supreme Court.

Maria Antonia Martinez de Richardson *et al.*, claimants for Pinole, four square leagues, granted June 1, 1842, by Juan B. Alvarado to Ygnacio Martinez; claim filed July 8, 1852, confirmed by the Commission October 24, 1854, and appeal dismissed March 10, 1857; containing 17,786.49 acres.

Domingo Peralta, claimant for half of San Ramon or Las Juntas, described by boundaries, granted in 1833 by José Figueroa to Bartolo Pacheco and Mariano Castro; claim filed August 14, 1852, confirmed by the Commission May 15, 1855, by the District Court March 2, 1857, and appeal dismissed January 5, 1858.

Leo Norris, claimant for part of San Ramon, one square league, granted August 1, 1834, by José Figueroa to José Maria Amador; claim filed September 20, 1852, confirmed by the Commission August 1, 1854, and by the District Court September 10, 1857; containing 4,450.94 acres.

Joaquin Ysidro Castro, administrator, claimant for San Pablo, four square leagues, three leagues granted by José Figueroa, June 12, 1834, to Francisco Castro, deceased, and to his heirs, and on the 13th the surplus lands to Joaquin Ysidro Castro and the heirs of Francisco Castro; claim filed October 9, 1852, confirmed by the Commission April 17, 1855, by the District Court February 24, 1858, and appeal dismissed March 10, 1858; containing 19,394.40 acres.

Maria Manuela Valencia, claimant for Boca de Cañada del Pinole, three square leagues, granted June 21, 1842, by Juan B. Alvarado to M. M. Valencia; claim filed December 13, 1852, rejected by the Commission August 10, 1854, confirmed by the District Court November 26, 1854, and by the United States Supreme Court; containing 13,353.38 acres.

Joaquin Moraga, claimant for Laguna de los Palos Colorados, three square leagues, granted August 10, 1841, by Juan B. Alvarado to J. Moraga and Juan Bernal; claim filed February 15, 1853, confirmed by the Commission January 23, 1855, by the District Court March 24, 1856, and appeal dismissed April 8, 1856; containing 13,318.13 acres.

Jonathan D. Stevenson *et al.*, claimants for Medanos, two square leagues, granted November 26, 1839, by Juan B. Alvarado to José Antonio Mesa *et al.*; claim filed February 24, 1853, confirmed by the Commission June 19, 1855, by the District Court October 16, 1856, and appeal dismissed April 2, 1857; containing 8,890.26 acres.

Inocencio Romero *et al.*, claimants for land, granted February 4, 1844, by Manuel Micheltorena to I. Romero *et al.*; claim filed February 28, 1853, rejected by the Commission April 17, 1855, and by the District Court September 16, 1857.

Thomas McCabe

E. R. Carpentier, claimant for ten square leagues, a portion granted by P. V. de Sola, another portion granted in 1841 to Juan, José and Victor Castro by Juan B. Alvarado, and another portion granted by José Figueroa to Francisco Castro, and re-granted in 1844 by Manuel Micheltorena to Luis Peralta; claim filed February 28, 1853, rejected by the Commission January 30, 1855, and appeal dismissed for failure of prosecution April 21, 1856.

H. W. Carpentier, claimant for two hundred and twenty-five acres, granted by P. V. de Sola and Manuel Micheltorena to Luis Peralta; claim filed February 28, 1853, and discontinued by claimant January 23, 1855.

William C. Jones *et al.*, claimants for San Pablo, three square leagues, granted June 12, 1834, by José Figueroa to Francisco Maria Castro; claim filed March 1, 1853, rejected by the Commission March 27, 1855, and appeal dismissed for failure of prosecution April 21, 1856.

James Enright *et al.*, claimants for Medanos, two square leagues, granted November 26, 1839, by Juan B. Alvarado to José Antonio and José Maria Mesa; claim filed March 2, 1853, rejected by the Commission March 27, 1855, and appeal dismissed for failure of prosecution April 21, 1856.

HOMICIDES OF CONTRA COSTA COUNTY.

People vs. Wempett and Wampett—Homicides of Aparicio Morales—Ignacio Flores alias Figaro—James M. Gordon—Terence H. McDonald—Doctor John Marsh—Nicholas Brenzel—An Unknown—Edward Norris—Sadella Catiyo—Guadalupe Tapia—N. Nathan—Patrick Finnegan—James Magee—Louis D'Alencon—An Unknown—John Pete—Martine Berryessa—Aravena—"Jo"—Jesus Diana—Valencia—Mrs. Elizabeth Robinson—Sacramento Leibas—Enoch J. Davis—William Nesbit—S. A. Carpenter—Mrs. Laura Walker—Jose Vaca—George Minchell—Herman Heyder—James Fergusson—Silveria Monjas—Patrick Sullivan—Peter Peters—Valentine Eischler—Jamiens—Michael Duffy—Martin Gersbach—George Muth—Ramon Chaves—Ah Hung—Jose Arrayo—James Mills—George Mitchell—Reyes Berryessa—An Unknown—Langbhen Children—A Chinawoman—Thomas Sheridan—Manuel Sibrian—Louis Farreri—Patrick Sullivan—Sheridan—Christian Smith.

"And the Lord said unto Cain, Where is thy brother? And he said, I know not: am I my brother's keeper? And he said, what hast thou done? The voice of thy brother's blood crieth unto me from the ground. And now art thou cursed from the earth, which had opened her mouth to receive thy brother's blood from thy hand; when thou tillest the ground, it shall not henceforth yield to thee her strength; a fugitive and a vagabond shalt thou be in the earth." Thus is graphically given us on the page of divine history the record of the first murder that ever the sun shone upon or the eye of God looked upon, and the woful curse pronounced upon the author of that foulest of all crimes by the Supreme Judge of the universe. And how tenaciously has that curse followed the generations of life-takers down from Cain to the present day. "A fugitive and a vagabond shalt thou be in the earth!" How natural when a man has taken that from a fellow-man which no power of his can restore, no amends make any adequate reparation, has taken his life and shed his blood, to become a fugitive! The first impulse is to flee. A power he knows not of until the horrid deed is done impels him on, and ere he is aware he has become a fugitive. And he becomes a vagabond, too! No matter if the lax operations of the Courts allow him to return to society, the deed has been committed, the blood is on his hands just the same, and all who know him can see it. He can see it, too, far more plainly than others, for it is burned into his consciousness by the flaming tongue of conscience, a chasm is riven between him and human society, and wherever he

goes, if it is known that he has blood upon his hands, the finger of humanity is pointed at him, and he hears the voice of outraged and, oftentimes, cheated justice, exclaiming in loudest tones: "He is a murderer!" The vengeance of the Author of mankind justly follows him up who presumes to take the life of a human being—a being created in the image of the Divine Creator. After the waters of the flood had subsided, and the generations of men were again starting out to run the course of destiny, God spake to Noah and his sons, saying: "And surely your blood of your lives will I require * * * at the hand of every man's brother will I require the life of man. Whoso sheddeth man's blood, by man shall his blood be shed; for in the image of God made he man." And when the people of his choice were upon the road to enter the rich inheritance which had been given to their fathers hundreds of years before, he caused them to halt, and amid the thunderings of Sinai he declared to them in language explicit, simple and grand: "Thou shalt not kill." And when the great master, Jesus, came, he embraced all law, all gospel, and all ethical codes into one grand, glorious sentence which stands emblazoned upon the sacred page in letters of living light, and which shall shed forth rays of brightest effulgence all down the ages of the great eternity of God, when time shall have ceased, and only immortality exists: "Whatsoever ye would that men should do to you, do ye even so to them."

On the leaves of a leather-bound memorandum book, found in the heart of an Arizona desert, the following self-reproaches and self-accusations were written in pencil. Near by it the half-decomposed remains of a human being—a murderer—whose curse had truly been more than he could bear. How he suffered let his own simple story relate, as placed on record by the same hand that had sent a human soul unprepared into the presence of its Maker:

"Blood on my hands! A blur of crimson before my eyes! The skies are brazen above me. The sun is sick with gore. The winds from the desert shriek at me—shriek and howl; and this one word only do they wail in my ears—this dreadful word, 'Murder!' I stop my ears with my hands; I cry aloud to drown their wailing voices; I cannot drown it; I cannot keep it out. It pierces me—pierces me through and through.

"What is it? I am bewildered. Why am I flying as one who seeks the ends of the earth? Yesterday earth had no horror for me. The winds were only winds—not demon voices. Ah, *now* I recollect. God pity me! Pity.? I forgot! He can only curse me. Annihilate me, O God! Blot me out from the universe. *That* would be pity.

"It all comes back to me now. It is seared in my brain. The long search for the mine; the days in the desert, in the mountains; and then, behind that hill that overlooks the 'Valley of Death,' the vein of white, shining silver—wealth for a King. Then it swept over me—my years of poverty and toil, the cold sneer of the rich as they saw my penury—and

here was wealth. I would have it all—*all.* Not even my partner should share the treasure. I was mad. He stooped to pick up the precious metal, and I struck him—*him,* the friend of my toils, and one who had never failed me—him, who had shared his food with me, who had slept upon the desert, in the mountains, under the same blanket; who had nursed me in sickness—I struck *him* to the earth. God, I was mad! Then I was alone with my wealth; with my wealth—ah! and the dead. I had not thought of the cold still face that would lie there *after* the blow; of the sightless eyes staring to heaven. *Then* the madness left me. I threw myself beside him; prayed him to awake; felt for the heart beat. Dead—dead. O my God! Dead! the friend of my toils. And I was a murderer—a *murderer!*"

Here some leaves were missing, and the next entries legibly represent him as a veritable vagabond:—

"Chill with guilt and fear,
White from curse and scorn,
Out to the wilderness drear
He stumbles through brier and thorn,
With a smitten face to haunt him,
Beckoning toward the west,
Touching him here and there
With a bruise of a ghastly stain,
Stinging his numb despair
To the jagged quicks of pain."

"Wandering, still wandering. Earth has no rest for my feet; and I am so weary! When I step the earth spurns me, and the pitiless skies cry: 'On! On!' Starving! Penniless! and there, back *there,* is wealth untold. Yet I dare not seek it, dare not tell of it; for there, too, is that cold, still face with the sightless eyes gazing at the heavens, and the red blood crying, ever crying to God. I wander on, and I can feel upon my brow a brand like Cain. It is a brand of blood—hot, burning blood. I walk among men and I feel that they *must* see it—it is there. I pull my hat over my brow—closely; O, so closely—down to my eyes, but they must see it. *The brand of Cain! The brand of Cain!* O God, it is upon me! For days I have wandered in the mountains, thirsting, hungering, trembling at the stir of a leaf. Yet death comes not to me. The wild beasts avoid me. The savages pass me by, and harm me not. I suffer, faint—but do not die."

How vividly has Thomas Hood been inspired to portray the feelings of a man whose hands have been imbued with a fellow-man's blood, and whose heart-throb has been stilled by one fell blow. Aye, indeed:—

I.

And how the sprites of injured men
Shriek upward from the sod;—
Ay, how the ghostly hand will point
To show the burial clod;

II.

And tell how murderers walk the earth
Beneath the curse of Cain,—
With crimson clouds before their eyes,
And flames about their brain;
For blood has left upon their souls
Its everlasting stain!
* * * * *

III.

One that had never done me wrong—
A feeble man, and old;
I led him to a lonely field,—
The moon shone clear and cold:
Now, here, said I, this man shall die,
And I will have his gold.

IV.

Two sudden blows with a ragged stick,
And one with a heavy stone,
One hurried gash with a hasty knife,—
And then the deed was done!
There was nothing lying at my foot
But lifeless flesh and bone!
* * * * *

V.

But lo, the universal air
Seemed lit with ghastly flame,—
Ten thousand thousand dreadful eyes
Were looking down in blame;
I took the dead man by his hand
And called upon his name.

* * * * *

VI.

My head was like an ardent coal,
My heart as solid ice;
My wretched, wretched soul, I knew,
Was at the Devil's price;
A dozen times I groaned—the dead
Had never groaned but twice!

* * * * *

VII.

Then down I cast me on my face,
And first began to weep,
For I knew my secret then was one
That earth refused to keep;
Or land or sea, though he should be
Ten thousand fathoms deep.

VIII.

So wills the fierce avenging Sprite,
Till blood atones for blood!

THE PEOPLE *vs.* WEMPETT AND WAMPETT.—On September 28, 1850, two Indians named Wempett and Wampett were found guilty of manslaughter by a jury, and sentenced to pay a fine of one dollar and two weeks' imprisonment, but who their victim was, or what were the circumstances of the case, the records do not divulge.

MURDER OF APARICIO MORALES.—On May 29, 1852, José Antonio, an Indian, stabbed Aparicio Morales at or near the residence of Dr. Tennent in Pinole, from the effects of which he died. He was duly tried before C. P. Hester, District Judge, found guilty July 9, 1852, and sentenced to be hanged. He was executed August 20, 1852. He was hanged from the limb of a sycamore tree, in the suburbs of the village of Martinez. A barrel was placed in an old cart, and the condemned man required to stand on that ticklish foundation while the rope was adjusted. The cart was finally driven away, and the poor fellow tumbled off the barrel and into eternity.

KILLING OF IGNACIO FLORES, *alias* FIGARO.—The victim in this case was killed at a place known as the "Chicken Ranch," on October 30, 1853. He came to his death by severe wounds from knife and pistol at the hands of Miguel Nabaro, his wife Antonia and Rafael Soto being apprehended as accessories to the act. On trial the accessory Antonia was discharged, but there is no record of what became of the others.

MURDER OF JAMES M. GORDON.—The particulars of this deed were communicated to a Stockton newspaper by Dr. Marsh at the time of its occurrence. About seven o'clock on the evening of Tuesday, October 2, 1854, three men came to the house of J. M. Gordon, near Dr. Marsh's, and desired him to give them directions about the road, saying that they had lost their way. As soon as Gordon went to his door, he was shot by one of the party; another of them fired at him also, but missed him. One of the balls struck Gordon, inflicting a fatal wound. Gordon fled in the darkness, and with difficulty reached Dr. Marsh's house, about two miles distant. The object of the ruffians was undoubtedly robbery, as the house was found to be

ransacked. The men were traced and ultimately arrested in San Francisco. They were named Henry H. Monroe, Andrew Hollenstein and Thomas Addison. Monroe was duly tried for the murder, convicted, and hanged November 24, 1854. While awaiting his execution Addison attempted his rescue, for which he was indicted by the grand jury, and imprisoned, but on January 20, 1855, made his escape from jail, and has never been captured. The other accomplice, Hollenstein, was handed over to the custody of the Sheriff of Solano county in the same month.

KILLING OF TERENCE H. MCDONALD.—It appears that on June 11, 1856, Rafael, an Indian, and Isabel, an Indian squaw, stabbed Terence H. McDonald on the right side of the neck, from which he died instantly, the deed being committed in his own dwelling. September 5, 1856, they were convicted of manslaughter, the man sentenced to ten years and the woman to eighteen months' imprisonment in the State Prison. There was also an accomplice, who was discharged.

MURDER OF DR. JOHN MARSH.—Perhaps no more horrible crime than the murder of this pioneer can be found on the pages of any history, and certainly no better example of justice following the guilty than which tracked one of the murderers to punishment eleven years after the commission of his foul deed.

Dr. Marsh had been for many years—long before the American occupation of California—the owner of the Los Meganos Rancho, of which he became possessed, as we have elsewhere stated, by purchase in the year 1837. Here he dwelt, surrounded by his people, flocks and herds, for full two decades. On or about the twenty-fourth day of September, 1856, business called him from his farm to Martinez, some thirty miles distant. In the grey dawn of the following morning his horse and buggy were found in the town of Martinez, but without an occupant. Then followed the search, which led to the discovery of his body in a road-side ditch, immediately upon which the pursuit of the murderers was undertaken. On the day following José Antonio Olivas was captured; after making confession as to certain money found in his possession, taken from the body of the murdered victim, and implicating Felipe Moreno as principal in the deed, he was tried and convicted, but escaping from jail, he eluded justice for more than ten years. In September, 1866, he was re-captured in Santa Barbara county, and brought to Contra Costa to await his trial.

About the same time Felipe Moreno was taken in Sacramento, where he was going under the *alias* of Don Castro. When arrested he made a desperate effort to escape, but being mastered was quickly handcuffed and incarcerated.

The third party implicated in the terrible murder, Juan Garcia, has, up to the present time, eluded justice.

The trial of Felipe Moreno for the murder of Dr. John Marsh was commenced on Saturday, September 23, 1867, and on the following Thursday the jury brought in a verdict of murder in the second degree against the prisoner.

The principal and only positive witness for the prosecution on this trial was José Antonio Olivas, one of the three persons indicted for the murder. Separate trials for the prisoners had been procured by District-Attorney Mills, with the purpose of using the testimony of Olivas for the State, and corroborating it, as to material points, by that of unimpeachable and disinterested witnesses. The defense relied mainly upon being able to prove an *alibi;* but notwithstanding the very able efforts of M. S. Chase, of Martinez, the counsel for the prisoner, the testimony failed to convince the jury, as the verdict shows, although it was not as severe as might have been expected, and this possibly because of the youth of the prisoner at the time, and the doubt remaining as to whether he may have been a chief or an auxiliary actor in the perpetration of the murder.

The story of the Doctor's death, as told by Olivas, is as follows:

On the morning of September 24, 1856, the date of the murder, José Antonio Olivas and Felipe Moreno, aged twenty-five and nineteen years respectively, in company with some females, came into the village of Martinez, where, having attended church, they proceeded to Pinole, returning from thence between four and five o'clock that same evening. They almost immediately continued their journey to Pacheco alone, and when reaching the hill about a mile from Martinez paused awhile to await the arrival of Juan Garcia, who was expected to meet them. Olivas then went on ahead for about two hundred yards, when he was overtaken by his comrades, and the three urged their horses into a gallop. While so proceeding they met a man named Swanson. Not long after this circumstance Doctor Marsh was observed to be coming in his buggy. Hereupon he was accosted by Olivas, who asked him for certain money due to him for services as a *vaquero*, to which the Doctor replied that he would be paid on his return from San Francisco, but that he had no money with him then. The deceased now drove away, while the party remained behind and concocted a scheme to kill him, but finally arranged that he should only be robbed. They then followed in pursuit, and on overtaking their victim, Olivas, by Moreno's orders, seized the Doctor's horse by the head, while Moreno jumped into the buggy and Garcia stood guard alongside. The deceased at once faced his enemy and said: "Do you want to kill me?" to which he received the reply "No" from Olivas, and "Yes" from Moreno, and notwithstanding the dissuasions of his companions, this youthful fiend slashed the unfortunate man in the face with a knife. He was then dragged out of the vehicle and fell to the ground, being before, however, wounded in the hand; Olivas having then dismounted, as he says, for the purpose of assisting

the Doctor, who came towards and struck at him, a scuffle ensued, Olivas crying to Moreno to free him. Thereupon Moreno observed: "why should I let go this old *cabron*," and forthwith stabbed his prostrate victim in the left side. Upon receiving this wound the Doctor cried aloud, when Moreno was prepared to repeat the operation, but was pushed away by Olivas, who parried a cut made at him. The Doctor now attempted to rise, but was only able to stagger a short distance and fell into a ditch—dead. His pockets were then rifled by Garcia and Moreno, who afterwards cut his throat, the deed being witnessed by Olivas from his saddle. This terrible crime being perpetrated, the triumvirate repaired to the top of a convenient hill and there divided the booty, whence they repaired to some houses for the night and afterwards fled, and for ten years and upwards escaped the iron hand of the law.

Moreno was sentenced to imprisonment for life in the State Prison on Friday, November 29, 1867.

Murder of Nicholas Brenzel.—A most atrocious murder was committed near the San Domingo Rancho on Saturday, May 21st, 1859. A man named John Mohr was accused of killing Nicholas Brenzel by striking him with a scythe, and was duly arrested in Martinez. From the testimony of the wife of the deceased, it would appear that Brenzel and Mohr, who were both Germans, had engaged during the year in cultivating a ranch together. The latter owed the first named several hundred dollars, borrowed money, and Brenzel asked him if he would not pay a portion of it, as he wished to purchase some grain sacks. On Mohr's refusal to let his partner have any money, Brenzel replied that he would go to San Francisco, borrow the money there, and purchase the sacks on his own account. This conversation took place in the house on the Saturday morning. A few minutes afterwards the wife of Brenzel heard a cry of distress, and on going to the door, saw Mohr with a scythe-blade in his hand, and near by was the prostrate and bleeding form of her husband. She asked Mohr why he had killed her husband; he replied, "I did it because I wanted to," and then threw down the scythe, seized a spade and endeavored to strike the dying man again.

Killing of a man, Name Unknown.—At an early hour on the morning of Thursday, October 13, 1859, several citizens living in the vicinity of Lafayette missed their saddles, and it was at once conjectured that horse-thieves had visited the neighborhood, several horses having been stolen from that district a week previously. The alarm was given, and in a very short time a party of some six or eight citizens started out and soon got on the trail of the supposed plunderers, those in pursuit being guided by fresh tracks of horses. The trail led across the hills in the direction of San Ramon valley, crossing it about a mile on the west side of Alamo, and from thence towards Mount Diablo. They proved to be Mexicans, who had

picketed their horses and encamped on the ground close by, having with them saddles belonging to David Carrick and Homer Shuey. They were suddenly surprised by their pursuers and ordered to surrender, a command to which they paid no attention, but endeavored to make their escape. They were fired upon by the citizens, when one of their number fell mortally wounded, having been shot through the head. The other two took to the chapparal, but as soon as they became aware that the pursuing party were making demonstrations to capture them at all hazards, the rascals came out of the brush and gave themselves up. The wounded man was conveyed to the Walnut Creek House, where he died the same night. He was a Mexican, apparently about twenty-five years of age, and on his body was found a letter from the noted desperado Tiburcio Vasquez, dated from the State Prison at San Quentin, and bearing the superscription, "Sra Doña Guadalupe Cantua—By the hand of S. T. Bsa.," who the victim doubtless was.

Killing of Edward Norris.—This tragedy took place at Conkling's Hotel, on the road between Lafayette and Oakland, on the evening of Sunday, December 11, 1859. The particulars as gleaned from the *Contra Costa Gazette* are as follows: A. H. Houston of San Francisco was the owner of some five hundred acres of the "Sobrante" claim, on the San Pablo creek. The property had been squatted on by settlers, with all of whom, save one, Mr. Houston had compromised, so as to obtain full possession. This one, a man named Edward Norris, had fenced in some seventy acres of Houston's land, and refused to give up possession. On Saturday, the 10th, Houston went over to his Ranch for the purpose of making some arrangement towards a peaceable settlement of the dispute. He visited the house of Mr. Norris, on Sunday, the 11th, but not finding the latter at home, left a request that he would on his return call at his (Houston's) farm-house and have a talk with him before the hour necessary for him to start to take the last boat that was to leave Oakland. Mr. Houston then returned to his house, and after waiting as long as possible, he left word with his father-in-law, W. C. Pease, who was in charge of the property, to settle the matter peacefully, by paying Norris a reasonable sum to leave quietly. Norris, however, did not come to the house, and in the evening Pease went over to the hotel near by, kept by Conkling, for the purpose of getting supper. While eating, a crowd of men arrived at the hotel, among whom was Norris. They were in the bar-room while Pease was in the dining-room. The conversation of Norris and his friends was upon the matter in dispute between the former and Mr. Houston. Pease, hearing his name mentioned, in not very complimentary terms, stepped to the door of the apartment in which Norris and the others were conversing, and drawing a pistol, demanded to know who had anything to say against "Old Pease," at the same time raising his pistol, cocking it, and threatening to shoot the first man who raised a finger.

Norris, who was in the act of drinking as Pease entered, put his glass down on the table. Some harsh words then passed between Pease and Norris; the latter, who was unarmed, reached forward to seize the pistol, when Pease instantly fired, and Norris fell dead, having been shot through the heart. Pease was tried for manslaughter and, January 26, 1861, was acquitted.

KILLING OF SADELLA CATIYO.—During a drunken brawl at the house of José Silva in Rodeo valley on the night of May 10, 1860, a Chileno named Sadella Catiyo was killed by his countryman Assesso Gayarado.

MURDER OF GUADALUPE TAPIA.—Guadalupe Tapia, a Mexican, was mortally wounded with a knife, July 4, 1860, by Ramon Ruiz. They were seen together near Alamo, each having a horse, though dismounted, and just previous to the attack deceased was observed to be reclining on the ground, holding his animal by the bridle. Ruiz now suddenly rushed upon him with a knife, inflicting a terrible wound in the abdomen, from the effects of which he died in a few hours. The murderer was arrested, but at his trial which took place January 16, 1861, he was discharged, the jury disagreeing, there being eleven in favor of his conviction of murder in the first degree, and one for manslaughter.

KILLING OF N. NATHAN.—The *Gazette* of February 15, 1862, says that: "The body of N. Nathan was found near Pinole a few days since, much decayed." The verdict of the inquest held was that he had been robbed and murdered. His license as a peddler bore date about the middle of December, 1861. He was aged about twenty-one years, and had no relatives in California.

KILLING OF PATRICK FINNEGAN.—On the evening of Sunday, November 30, 1862, Patrick Finnegan was shot at Clayton, under the following circumstances: It would appear that a troupe of minstrels gave a performance at the Clayton House, in the evening, to a rather noisy audience. At its conclusion one of the company was somewhat roughly handled by certain parties present, and R. L. Bradley handed him a pistol, telling him to protect himself. He did not use it but returned it soon after. One account of the affair had it, that in passing the pistol back it was accidentally discharged; while other eye-witnesses stated positively that on receiving it Bradley wilfully shot Finnegan. The ball struck deceased on the left side of his nose, passing into the head and killing him instantly. Bradley mounted a horse and made his escape.

KILLING OF JAMES MAGEE.—On Monday, December 1, 1862, James Magee was shot by James Tice. There had been a difficulty between the parties, and, on the afternoon in question, Tice, who had been drinking, went to the ranch of deceased, and some hard words passed between them.

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Tice at length wished to shake hands, to which Magee objected, telling him he was drunk, and ordering him off the premises. Magee had a shot-gun in his hand at the time which he had gone into the house for. He turned as if to leave the spot, when Tice presented his pistol and shot him in the left side. He exclaimed, "Oh! I'm a dead man, sure!" and almost immediately expired. Tice mounted his horse, rode to Martinez and put himself in custody of the Sheriff. Deceased owned a valuable ranch in the Moraga valley, and had accumulated a handsome property. Tice was duly tried before Hon. S. F. Reynolds, District Judge, May 30, 1863, when the jury returned a verdict of Not Guilty.

Murder of Louis D'Alencon.—On the night of Thursday, or the morning of Friday, March 12–13, 1863, Louis D'Alençon, the keeper of the Valley House, near Martinez, was murdered by some person or persons unknown. The last that was seen of the deceased alive was on Thursday night by the hired man, an old friend and fellow-countryman who lodged with him, when, having shut up the house, they partook of a drink together before retiring for the night, the man then going to bed leaving D'Alençon in the bar-room, where he was in the frequent habit of sitting up all night engaged in writing, he being one of the most accomplished regular correspondents of one of the French newspapers in San Francisco. The companion soon fell asleep and was not disturbed by any unusual noise, but thought that had there been such, he would have noticed it, as he was used to D'Alençon's habit of being up and moving about all night. At a very early hour on the morning of Friday, the 13th, Pancho Flores, passing by the Valley House on his way to a *rodéo*, noticed the door ajar, and saw the body of D'Alençon lying on the floor between it and the bar. Pancho tried to enter, but was unable to open the door wide enough on account of the position in which the inanimate form lay. He therefore went round to the back of the house, awoke the hired man and asked him what drunken man was asleep in the bar. The two then went to ascertain, and were horrified to find D'Alençon stretched on his back on the floor, weltering in his blood, and dead.

Murder of a Man, Name Unknown.—A stranger, dressed in working clothes, arrived at San Pablo on the night of Tuesday, August 4, 1863, and after eating supper at the hotel, took his blanket and proceeded a short distance up the road, when he turned off into a wheat-field, spread his bedding and lay down. On the following morning he was found there quite dead, with a wound in the temple, apparently caused by a blow from a heavy instrument. The body was yet warm when discovered.

Killing of John Pete.—On Monday, January 11, 1864, one Frank McCann killed John Pete in a quarrel over a game of cards at San Pablo, but what the particulars of the outrage were we have been unable to gather.

MURDER OF MARTINE BERRYESSA.—On Monday, February 8, 1864, at the town of Old Pinole, Martine Berryessa was stabbed with a knife by a man who was known by the solitary name of Francisco. Death was almost instantaneous. The facts of the case are these: Some two or three weeks before, hard words had passed between the parties, and the charge of horse-stealing was bandied from one to the other. Thereupon a scuffle ensued, in which a cut was received in the leg by Francisco. They then separated, after threats were thrown at Berryessa by Francisco, and they did not cross each other again until the day of the fatal meeting, when Francisco and two men with him, were, for some hours, at Pinole. Just as they were about leaving, they saw Berryessa, and, going up to him, Francisco observed that somebody wanted him at a place near by. Berryessa refused to go with them, whereupon he was told he should be made to go, when Francisco drew a pistol upon him. He held up his hands as if to ward off the shot, or to seize the weapon, and then, instead of firing the pistol, Francisco unsheathed a knife and stabbed him under the arm, it entering his back immediately below the shoulder, penetrating the lungs, and causing him to fall dead. The murderer and his two companions then fled. Francisco being caught by the bystanders, after a short chase, was lodged in the jail at Martinez.

MURDER OF —— ARAVENA.—On Friday, June 17, 1864, a Chileno named Aravena was killed under the following circumstances: It seems, for some unexplained reason, he attacked a man named Humblot, a resident of Oakland, Alameda county, who, in self-defense, turned on the deceased and slew him.

MURDER OF A MAN NAMED "JO."—In the month of June, 1874, but on what day we cannot ascertain, a man called "Jo" was stabbed by Juan Alvarez, at Pinole. The cause was liquor and jealousy. Alvarez delivered himself up to the authorities, but was discharged.

MURDER OF JESUS DIANA.—The following detailed murder was committed November 12, 1864, under the most revengeful and brutal circumstances. It appears that a Mexican by the name of Luis Romero had been living in a family of the same nationality, a few miles from Pinole. In that household was included a young woman about sixteen years old, the sister of the mistress of the house. This young girl's name was Jesus Diana. Romero was courting her and was very anxious to marry her. She, however, refused all his solicitations, whereat he was very much incensed. Immediately after breakfast, on the morning of the fatal day, he took his gun and started off, as he said, on a hunting trip. Only a few moments passed, however, before he came back to the house, and found the married sister outside at a well near by. The murdered girl was within, washing dishes. He then went in and stabbed her in the back with a common

butcher-knife. Her screams quickly brought the absent sister to the door. Upon the latter crying out to Romero to desist, he turned upon her, too, with the same knife, when she ran away. He called to her not to be afraid, for he should kill himself also. He then went back, took the gun, which was double-barreled, put it to his own throat, holding it under the chin so that the charge should pass into his brain, and thus killed himself. Before doing this, however, he had stabbed the girl in several places, one of the wounds going entirely through the body.

MURDER OF —— VALENCIA.—On Saturday, August 25, 1866, a Mexican or native Californian, named Valencia, died at Martinez from the effects of a wound received at the hands of Jesus Garcia on the previous Tuesday. It is said there was no provocation for the assault, although some quarrel had occurred between the parties. The attack was made with a stick or club of oak wood, with which the deceased was severely beaten upon the head and other portions of the body. Garcia was arrested, tried, and on December 27th sentenced by District Judge Dwinelle to imprisonment for two years in the State Prison.

MURDER OF MRS. ELIZABETH ROBINSON.—The following most brutal murder was committed at Martinez on the night of December 26, 1866, on the person of Mrs. Elizabeth Robinson, an aged woman who dwelt in the vicinity of the Roman Catholic Church, in that village. The facts of the case are these: The body of the deceased was discovered lying upon the floor by the child of a neighbor sometime during the forenoon of Thursday, the 27th, and upon this information a number of persons immediately repaired to the premises and found the body in a night-dress, upon the floor of a rear room, with the head, face, arms and hands fearfully cut and gashed, and several stabs in the breast and throat—one of the latter being entirely through the neck, from front to back. Near the body was a piece of candle and a candlestick, and from the appearances led to the belief that the deceased, aroused by the noise made in entering the house, had arisen from her bed, lighted the candle, and, on entering the rear room from which the noise proceeded, received a severe blow upon the forehead, followed up by assaults with a knife, against which the gashes upon the arms and hands show she had made a protracted but unavailing struggle. The floor of the house displayed blood tracks, and upon one of the partitions was the full print of a bloody hand, made by the murderer, probably, on groping his way through the dark. There were, also, the marks of bloody fingers upon the sliding window, showing that he had carefully closed it on his retreat from the premises. The object of the murderer was undoubtedly plunder, as the deceased, who was about seventy-five years of age, by a long life of toil had accumulated some property, and may have been supposed to have money with her in the house, which had all the appearances of having been

searched after the life of the woman had been taken. On Friday, the 28th, a mixed-blood Mexican and Indian, called Manuel Jaurez, was arrested under circumstances which tended strongly to identify him with the murder, several articles which belonged to Mrs. Robinson having been found in his house in Martinez. He was duly incarcerated, and, after a trial lasting an entire week, was found guilty of murder, the testimony against him being entirely circumstantial, but most conclusive. On May 10, 1867, he was senteneed to be hanged on June 28th, on which day he was executed at the jail in Martinez. Before the carrying out of the sentenee, in response to the notice that he was at liberty to say anything he might desire to communicate before execution, in substance he remarked: "In a few minutes I shall be in the presence of my God, and I now declare that I am innocent of the crime for which I am condemned to die; and what I have previously confessed, I did in the hope of escaping punishment."

KILLING OF SACRAMENTO LEIBAS.—On the evening of Monday, January 7, 1867, Saeramento Leibas was shot and fatally wounded by Antonio Figueroa, in the Pastor House, a saloon and boarding-house in Pacheco, and principally patronized by native Californians. A difficulty had existed between the parties for some time, and several weeks before, deceased complained of Figueroa for threats against his life, but the evidence submitted to Justice of the Peace Sayles, before whom the case was brought, did not warrant the placing him under bonds. On the evening of the killing three men came into the saloon together: Bonifacio Pacheco, Espirito Almosan and Antonio Figueroa, all somewhat under the influence of liquor. Figueroa commenced to abuse Leibas, who replied, "It's all right, I don't want any words." He then directed his conversation to Antonio Leibas, brother of the deceased, in the same strain, and finally the remainder of those present came in for a share of his vituperation. After a while he went out, but soon returned followed by Pacheco, who was apparently endeavoring to hold his arm. Figueroa raised a pistol, pointed it at Sacramento Leibas, who was standing behind the counter, and fired, the ball taking effect near the heart of the unfortunate man, who died in about an hour and a half. Notwithstanding being pursued, Figueroa escaped. Pacheco and Almosan were arrested as accessories, and after examination were discharged for want of evidence; they were subsequently re-arrested and lodged in jail in Martinez. Figueroa was traced to a point on the San Joaquin, near Firebaugh's Ferry, where it is supposed he obtained a crossing in a boat kept there by a party of Sonoranians. The accessories were found "Not Guilty," May 18th, and discharged.

KILLING OF PETER LYNCH.—It appears from the records that for some time previous to the committing of this deed, a Portuguese named Antonio Corquillo, had been in the employ of Peter Lyneh, who resided on San Pablo

creek. On a certain Saturday evening in the month of March, 1867, a bottle of liquor was taken to the cabin where both the men lived, and both becoming intoxicated a quarrel ensued. The Portuguese finally went to his bed, but was soon after assailed by Lynch. A struggle ensued, and in self-defense Corquillo seized a monkey-wrench from a tool-chest near by and dealt to Lynch a fatal blow. He made a full confession, surrendered himself to the authorities, and on May 11, 1867, was tried and acquitted.

KILLING OF ENOCH J. DAVIS.—One of the proprietors of the Cumberland House, at the Black Diamond coal mines, named Enoch J. Davis, died March 1, 1867, from the effects of a knife-wound inflicted by William Bowen, some ten days prior to the decease. From the testimony given at the inquest it appears that Bowen and another party got into a quarrel over a game of cards and were ordered by Davis to go out of the house to settle their difficulty; they accordingly went out and after a fist scuffle, returned, still disputing, when Davis again ordered them away to fight the matter out, at the same time applying some derogatory epithets to Bowen, upon which he ran to his room and returned with a knife, asking Davis if he called him a "son of ——," and upon the reply of Davis that he did, plunged the knife into his breast; then going back to the room, in which there were several other lodgers, threw the bloody weapon on the table and declared he would take the life of any man who called him such a name. The wound of Davis was not thought at first to be mortal, and Bowen remained at the place until within a few days of the decease, when he left.

KILLING OF WILLIAM NESBIT.—The circumstances of this case are these, as gleaned from the dying deposition of the victim. The murder was committed near Somersville on the night of December 21, 1866. On that night a difficulty having originally occurred between Nesbit and George Vernon, he (Nesbit) went to the house of Vernon for the purpose of settling the difficulty without further trouble and called at the door of Vernon's house and told him that he wished to talk with him peaceably and settle their difficulty without further words. Vernon told him all right, wait until I get my boots and I will come and talk with you. Vernon went into the house and returned instantly with a pistol, and whilst Nesbit was sitting on the porch of Vernon's house, he fired at him, the ball striking him in the breast, and as he jumped to run he again shot him in the back. He also fired other shots which did not strike him. On April 24, 1867, Vernon was found guilty of manslaughter and sentenced to ten years imprisonment in the State Prison. In 1871 he was pardoned, the grounds given by Governor Haight for so doing being: "There are serious doubts of his guilt, and it is the opinion of many of the citizens of said (Contra Costa) county that he should not have been convicted, and these doubts seem to be well founded."

KILLING OF S. A. CARPENTER.—On September 30, 1868, S. A. Carpenter, an old and well-known resident of Alamo, was found dead in a trail leading over a ridge to his residence, about two hundred yards from which the body was discovered. His horse, all saddled, had been previously found roaming about, the circumstance which led to the search. The deceased was in his shirt-sleeves, as if only a temporary absence was intended. He had been shot through the body, the ball entering the right side just below and behind the arm, and coming out of the right side a short distance below the nipple. There was no apparent deflection in its course, and passing about an inch below the heart, produced death almost instantaneously. From its evident force, the ball was thought to have been discharged from a rifle or heavy revolver. His pantaloons were also cut in the folds on the left side, apparently by a ball that passed clear of the body. Mr. Carpenter is described as a man of very eccentric disposition. He was unmarried, and lived alone in a little spot that he had surrounded with a wealth of floral beauty. Shrubs of various kinds were artistically trained in the most attractive style, and flowers of countless hues unfolded in beauty and mingled their fragrance around his humble dwelling. His house was a model of neatness and order, that would have won encomiums from the most thrifty housewife, and the general aspect of the place gave evidence of the æsthetic traits of its possessor. Some time before, Mr. Carpenter gave unmistakable proof of insanity, and was for a time removed to Stockton; since his return he had not been generally regarded as of sound mind. He was very irritable, and disposed to be quarrelsome towards his neighbors and all others with whom he came in contact. He had made threats to poison stock, and in many ways made enemies. Possibly some one unaware of, or unwilling to allow for his infirmity, may have compassed his death in revenge for injuries received at his hands. Be that as it may—the murderer made his escape.

KILLING OF MRS. LAURA WALKER.—A man named Walker, who lived on the farm of Mr. Sellers, near the Kirker Pass, on the Nortonville side, was arrested on Sunday, September 5, 1869, for causing the death of his wife by beating her. Both the accused and deceased are reported to have been indulging excessively in drink on the previous evening, at the house of a neighbor, and the beating occurred on the way home. On November 30, 1870, Walker was convicted of manslaughter, when a motion was made for a new trial, which was denied, and the prisoner sentenced to ten years imprisonment in the State Prison.

KILLING OF JOSE VACA.—In an affray at the village of Concord on Monday, May 2, 1869, a Californian Indian named José Vaca was killed by another called Fernando Feliz. The deceased had been well known in the vicinity for a long time as a drunken, brawling, besotted fellow, the other being also well known as a quiet inoffensive person, past the meridian of life

and afflicted from an early age with an infirmity that made him a cripple. It appears that the deceased, who had been drinking to inebriation, approached the hut of Feliz with a bottle and wanted him to drink, an invitation he declined, saying; that "much whisky is no good;" but told the other he would make a fire and give him something to eat. While making the fire José seized hold of him, saying: "Now, I have got you where I want you, and mean to kill you," thereupon striking him a heavy blow with the bottle and breaking it—Fernando struggling to defend himself, José in the meanwhile slashing and punching his face with the fragments of the bottle still held in his hand by the neck. In the scuffle that ensued they got outside of the shanty, where Fernando found an opportunity to seize a large knife with which he gave his antagonist two or three lunges, one of which, as was found on the *post mortem* examination, passed entirely through the heart, severed the fourth rib, and killed him instantly. A judgment of justifiable homicide was returned.

Killing of George Minchell.—George Minchell, who, with his family, had been living in Ygnacio Valley, about two miles from Pacheco, and farming on the land of Charles S. Lohse, was shot at his own door on the morning of Thursday, September 8, 1870, by a man named William Donovan, who had been in his employ, and who claimed an unpaid balance of wages; while, it is asserted on the other hand that he had been overpaid eight dollars. It is said that Donovan visited the house of deceased on the previous evening, demanding payment of the claimed dues in abusive and threatening language. Thursday morning he returned at day-light, and as the deceased was lighting the fire, entered the house, using threats and abusive language. Minchell directed him to leave the house, and followed him out. A moment afterwards the discharge of a pistol was heard and Minchell re-entered the door saying to his wife: "Mary, I am shot!" "You are not going to die, George, are you?" "Yes, Mary!" And he immediately dropped dead upon the floor. Donovan was arrested, and when the Sheriff approached him with the manacles he exclaimed, fully realizing his situation, "Oh God, this is what drink has brought me!" He was duly tried, and December 8th sentenced to be hanged on February 3, 1871. Judgment was stayed, and on April 15th William Donovan was granted a new trial on the ground that a continuance asked for the defendant on the former trial was improperly denied. The continuance was demanded for the procuring of witnesses to prove that the prisoner had been an inmate of an Insane Asylum, and it was denied on the admission of the prosecution that the fact alleged would be proved by the required witnesses if they were present. The Supreme Court decided that this admission was not sufficient, and that the defendant was entitled to an opportunity of *proving* the fact. The case was moved to the San Francisco courts, and on December

12, 1871, Donovan was convicted of murder in the first degree. Afterwards, in February, 1872, a motion for a new trial was sent on appeal to the Supreme Court, who issued a writ to stay execution of sentence until the "pending motion is heard and decided," and on June 27th directed that an order be entered affirming the judgment of the Court below, and directing the lower Court to fix a day to carry the sentence into execution—he was, therefore, sentenced to be hanged on Friday, December 13th. In the meantime a petition to pardon the murderer had been sent to the Governor of the State who declined to interfere, but ultimately execution was stayed by Governor Booth, who was moved thereto by an immense petition for a commutation of sentence.

KILLING OF HERMAN HEYDER.—From November 18 to 25, 1870, the Fifteenth District Court was occupied with the trial of Matthew Caspar, indicted for the murder of Herman Heyder, by poison, put into the food served to him by the accused, when the deceased was a visitor at his house, some ten or twelve miles southeast of Antioch. The general facts and features of the case may be briefly summarized as follows: On the sixth or seventh of September, 1870, Heyder and Caspar were brought into Antioch, at one or two o'clock in the morning, Heyder lying in the bottom of the wagon and Caspar sitting upon the seat beside the driver; both were represented to Dr. Howard to be suffering from the effects of strychnine taken with the food they had eaten for supper at the house of Caspar, some five or six hours before. Heyder died soon after reaching Antioch. Caspar recovered, and from the medical testimony, and other facts subsequently developed or considered, it appeared doubtful if he had exhibited any symptoms of having been poisoned at all. A jury was summoned to make an inquest in the case, and after a very patient, thorough and protracted investigation, Caspar was held, on their finding, to answer before the Grand Jury on a charge of poisoning Heyder. The finding of this jury, and, presumably, of the Grand Jury, was based wholly upon strong circumstantial evidence of the guilt of the accused. It was, in the first place, almost inconceivable that so atrocious and diabolical a crime could have been committed without some motive of envy or cupidity; and the most diligent inquiry failed to develop a fact or suggestion which warranted suspicion that any one had been prompted by such motives to enter Caspar's house in his absence and mingle strychnine with the various condiments and articles of food, which would be eaten by him on his return, for the purpose of killing him. Large quantities of strychnine were found in the sugar-bowl, pepper-box, the salt upon the table, the syrup, the butter and in the batter-pan, and the flap-jack cakes, cooked and eaten, at least by Heyder, for supper—for he was unquestionably poisoned, exhibited all the most painful symptons, and died within a few hours after the fatal meal. Strych-

nine was found in his stomach, on chemical analysis of the contents, and in the undigested portions of the cake he had eaten. The question then arose with the jury of Inquest: Had Caspar any motive which would possibly have prompted him to such an attempt to destroy the life of his visitor and guest? It was shown that Caspar and Heyder had been acquainted for some time; had worked together in herding sheep, that Heyder had money, and that Caspar had been trying for some time to borrow several hundred dollars from him. His statements in relation to the preparation of the supper when Heyder came with him to the house after having been with him when he had been at work during the afternoon, and many other circumstances developed in the investigation, produced a conviction of Caspar's guilt in the minds of the Jury of Inquest; and the testimony before the Grand Jury doubtless produced the same conviction there, to warrant his indictment for the murder. With the strong circumstantial evidence of guilt which had warranted the findings of the two juries, the prosecution on the trial brought in the testimony of two prisoners confined in the jail, to prove an admission, on the part of Caspar, to them in prison, that he did the poisoning. This was the only testimony purporting to be of a positive character, against the prisoner; and it probably had not the weight with the jury that the testimony of persons unaccused of crime would have had, though these prisoners had no apparent motive for testifying falsely against the life of another; it is therefore not surprising that, under their solemn responsibilities, with no alternative but condemnation to death or acquittal, the jury should have failed to find a verdict according with the general conviction of the prisoner's guilt.

Killing of James Fergusson.—A stranger named James Fergusson, on his way from Gilroy, where he had been employed in the redwoods, to his home at Windsor, Sonoma county, arrived at Martinez too late to cross the ferry on the evening of Sunday, June 4, 1871, and met a violent death between midnight and Monday morning, under circumstances of a peculiarly painful nature. The deceased was accompanied by three sons, aged respectively eighteen, thirteen and ten years, and being obliged to remain over night at Martinez put up their horses in the stable of the Alhambra Hotel, where he and his two younger lads at a later hour made camp beds, the eldest boy at a still later hour going to his bed in their wagon, which stood in the stable yard. During the evening Fergusson had been drinking pretty freely, and obtained from George Gordon Moore, Senior, a sum of one hundred and seventy-five dollars, which deceased had given him to take charge of. This money was not found on his body. At about 8 o'clock P. M. he went to the saloon of Francisco Saurez, and there remained until one o'clock on Monday morning, leaving at the same time as did Alexander Naghel, William Higgins and K. W. Taylor. The first of these, whose testimony is the most important relative to material facts, stated at the inquest

that while there, Taylor playing on a guitar and Saurez on an accordeon, deceased jumped up and began talking about soldiering, saying that he had had command of fifteen hundred men. Not much attention was paid to what he said, and after a little they all drank together. The deceased then began showing the sword and fist exercises with his cane and fists, most of them joining in the play. Deceased then asked Taylor to take the stick (for attack) and he would defend himself with his fists. After one or two passes Fergusson said to Taylor: "There! I could have hit you, so and so." Taylor replied: "I could have knocked the knuckles off you," etc. After a general "skylarking," Taylor handed the stick back to deceased, who in flourishing it dropped it on the floor, then giving it a kick that sent it over the screen. Saurez picked the stick up and told the deceased he would keep it until he went away. After this Taylor and Saurez played the guitar and accordeon, and deceased wanted them to play "Dixie," and they complied, playing and singing, Fergusson joining in the chorus. Negro and Irish songs were then sung. Then Higgins asked for a Union song. The deceased said: "Anyone that will sing a Union song is a d—d son of a ——." No reply was made to this remark by any one. Taylor sang one or two more songs, and then sang a Union patriotic song. After more singing, Saurez said: "Let us all go to bed." Taylor said: "Let us all take a drink." All drank except the deceased, who got up and said he "had a boy twelve years old in his wagon over there, and he had made that boy fetch his man." Taylor said there was no use in talking about that now, the war was over. Deceased then began talking about one Southerner being equal to five Yankees. Taylor and Saurez were at this time looking over the accounts of the latter, and while thus employed, and while the deceased was bragging about being able to whip five Yankees, Higgins, who was sitting on the billiard table, came forward and proposed that all should go home. Taylor said: "We will all go home if Saurez will treat." Saurez treated, and all drank, including deceased. Taylor, Higgins and Naghel then went out of the saloon and started towards the bridge. The deceased started at the same time, but turned back to enter the saloon, when Saurez ejected him, telling him to go home and go to bed, as he wanted to shut up. Naghel further stated that he left Taylor in order to go down the street; that the deceased walked up against Taylor, who then turned aside and tried to avoid him. Naghel then walked back to where they were. Deceased again walked up against Taylor, who said: "Go away from me; I don't know who you are, and don't want you to follow me. Go about your business." At this time Taylor gave him a shove and he fell backward. After he got up Naghel told him he had better go away, but he would not, and persistently thrust his society upon them. Naghel then asked him where his wagon was? He pointed in the direction where it stood, and he was told to go to it. He started in the direction, Taylor,

Thad Wagner

Higgins and Naghel walking after him towards the residence of the first-named, deceased walking on the sidewalk and they in the middle of the street. When deceased reached Wittenmyer's corner he halted and turned back, still walking on the sidewalk, and went around the corner towards Sturges' Hotel. The three then remained talking for a short time in the middle of the street, and opposite the thoroughfare leading to Bent's warehouse. While standing there, Fergusson came back from the direction of the Alhambra Hotel, and approached in the middle of the street within about fifteen steps, when he dropped on one knee with a gun pointed in the direction in which they stood. Naghel remarked to his companions, "He has a gun; look out!" They all thereupon concealed themselves in separate places of safety, and the deceased got up to follow. Naghel ran again in the direction of Bent's warehouse, but did not notice where the other two went. He saw, however, deceased drop on one knee as before, and saw the flash of a gun. About a couple of seconds after, he heard Taylor call: "Brown!" Naghel then went back to Brown's porch. He (Sheriff Warren Brown) brought out a carbine and gave it to Taylor, cautioning him to be "very careful, for it would go off easy," and "not to shoot if he could help it," or words to that effect. In the meantime Naghel was dispatched for Mr. Gift to arrest the man. Taylor then took up his position by the railing near the end of the bridge. He now saw deceased approaching, holding his gun as if ready to fire, and searching about him for some one. Seeing Higgins, he pointed the weapon towards him. At this moment, Taylor stepped to the end of the bridge and ordered him to hold up his gun. He immediately wheeled round and pointed it at Taylor, when he (Taylor) fired and killed him. Taylor then handed himself over to the Sheriff, who had now come up. The jury found a verdict that deceased was killed by K. W. Taylor, the shot being in self-defense.

Killing of Silverio Monjas.—Of this affair the *Contra Costa Gazette* of July 8, 1871, has the following: "During the past week or more, the people of the central portion of the county have been intensely excited by occurrences growing out of the disputed ownership and possession of a certain portion of the Moraga grant, about which there has been much litigation and contention for several years. The land in question is claimed on one side by Isaac Yoakum, and on the other by members of the Moraga family. Some two months or more ago the Sheriff, by writ of the District Court, was directed to put Yoakum in possession of the lands then occupied by a portion of the Moraga family, but he had, as is claimed, no authority in executing the writ, to remove and dispossess such of the Moraga children as were not named in the instrument, and he refused to do so. Yoakum, or his agent, as is said, refusing at the time to accept possession unless all the Moragas and their personal effects were removed. Yoakum subsequently,

however, went into occupancy of the portion of the premises to which the writ entitled him; and the Moragas remained in possession as the Sheriff had left them, of a portion of the land claimed by Yoakum, and to which, as we understand, he would have been entitled under the judgment of the Court, but for an error of omission in the complaint in action, upon which the judgment was rendered in his favor. From this situation of affairs, both parties claiming and believing they had legal and equitable rights which they were justified in asserting and defending, much heat and bitterness of feeling has arisen, and several serious collisions have occurred to the imminent peril of life on both sides. Some time early in May several rifle shots were fired at one of the Moragas, and the horse he was riding was killed by a man in the employ of Yoakum, named William Steele, who was at that time, together with one of the Yoakum boys, under one thousand dollar bonds to answer before the Grand Jury of the county.

"Since that time the temper of the hostile parties has not improved, and threatening demonstrations and preparations have been made on both sides, with no very serious results, however, until last Saturday (July 1st) when Silverio Monjas, one of the Moraga party, was shot by William Steele, as he affirms, in self-defense. On the previous day there had been a collision between the parties and a good deal of shooting. In the *mêlée*, one of the Moraga girls was struck with a gun and severely hurt by Mr. Yoakum, and the horse he was riding was fatally shot. Reports of these occurrences spread rapidly about the county, and created a degree of excitement and manifestations of indignation seldom produced in our usually quiet and moderate community; and the excitement and indignation reached a higher pitch on Saturday, after the shooting of Monjas, threatening to culminate in a vengeful outbreak against the Yoakum party. In the heat of the excitement many intemperate and improper charges and threats were made, which a cooler judgment and a fuller knowledge of facts would not justify.

"Sheriff Brown was on the ground shortly after the shooting of Monjas, on Saturday, and on the information of Yoakum, found and arrested Steele. Yoakum voluntarily offered to surrender himself to the Sheriff for examination before any competent magistrate, upon any charge that might be preferred against him, and accompanied the Sheriff to Walnut Creek, where, on finding Justice Slitz was absent, they proceeded to Pacheco, and on reaching that place, found that Justice Ashbrook was also from home. Yoakum here declined to accompany the officer farther, though he offered to give his word or bond for appearance, whenever, and for whatever purpose, required. As the Sheriff had no warrant or authority whatever for detaining him, he was allowed to go; and the Sheriff has been highly censured therefor, but, so far as we can see, without the slightest good reason."

Monjas, who was shot by Steele, died about three o'clock on Saturday morning, and a Jury of Inquest, summoned and sworn on Sunday by

Justice Allen, continued their inquires until Monday evening, when the inquest was adjourned to ten o'clock, Saturday morning at Walnut Creek.

Steele was brought before Justice Ashbrook for examination on Thursday; the People in the conduct of the case were represented by District Attorney Mills, and the defendant by Judge Blake, of Oakland. The examination was concluded on Friday afternoon, and Steele was held to answer for murder without admission to bail.

The Jury of Inquest found: Isaac Yoakum to be accessory to the killing of the said Silverio Monjas.

He was brought before Justice Ashbrook of Pacheco on July 10th to answer to the charge of assault with a deadly weapon, with intent to commit bodily injury upon the person of Gunecinda Moraga in Moraga valley on June 30, 1871. On motion of Judge Warmcastle, acting for District Attorney Mills, the charge was modified to one of assault and battery. The defendant, contrary to the expressed desire of the Court and the prosecution, objected to trial of the charge by jury, and in deference to his objection the case was tried without a jury. The trial occupied the greater part of the 10th and 11th. The defendant conducted the case in his own behalf, assisted by a young lady, his daughter, who wrote out the testimony as given in by the witnesses. The evidence produced clearly sustained the charge, and established that the defendant had proved an aggravated assault upon the Moraga girl, striking her twice with his gun and inflicting severe hurts upon her person, while, at the request of his herder, she and her sister were assisting him to drive the defendant's sheep away from the inclosure held by the Moraga family. Yoakum was found guilty and fined five hundred dollars, but gave notice of appeal.

On the charge of being accessory with William Steele in the killing of Silverio Monjas, Isaac Yoakum was brought before Justice Wood of Danville on July 24th, being continued till the 27th, and at the conclusion of the examination was held upon bail of three thousand dollars to answer to the charge.

The case of George Steele was tried in Alameda county, before the Third District Court, whose term commenced February 19, 1872. The case was transferred for trial on the motion and affidavits of the prisoner's counsel to the effect that existing prejudice would prevent an impartial trial in Contra Costa county. The case was set for March 4, 1872, and on that date he was acquitted. He was then held on the charge of an assault to murder, with bail bonds fixed at two thousand dollars.

Killing of Patrick Sullivan.—On the afternoon of Saturday, October 28, 1871, Justice Ashbrook, of Pacheco, was notified of the death of Patrick Sullivan, at the residence of James Sullivan, his brother, near Bay Point, from a gun discharged at his head by Mrs. Catherine Sullivan, the wife of

James. Of the untoward affair we find from the testimony adduced that James Sullivan was absent from home for several days, and had returned only on the 24th of October, but heard nothing from his wife that anything unpleasant had transpired; but observed that she did not speak to his brother, nor he to her; and on the 27th his brother told him that he must look out for another man as he was going to leave. On Saturday, the 28th, they had been sowing wheat in the forenoon, and all were at the dinner-table as usual, but his wife did not eat; a circumstance that Sullivan attributed to her being unwell. After eating he (the husband) moved back his chair and was reading a newspaper, when he was startled by the discharge of a gun in the room, and on looking up, saw Mrs. Sullivan standing in the pantry door with the gun, and saw his brother fall forward upon the table. Shocked and alarmed, he sprang up and rushed out of the door, his wife following with the gun in her hands, and the children clinging to her skirts. In his excitement and agony of mind, he exclaimed, "My God! what have you done! was it an accident?" to which his wife replied: "No! I shot him. He deserved it. He was a villain. He attempted a vile outrage on me!" She then told him that the deceased on the previous Monday night (the 23d) had forced open the window, entered her bedroom, and attempted to outrage her, but she had fought him off; and on her declaring that she would take the children and go to Cunningham's (one of the neighbor's) for protection, he threatened if she did so, or if she reported a word of the matter to her husband, he would kill her. On the following morning, after she had passed a sleepless night, while she was preparing kindling-wood to light a fire, he came in, threw his arms around her and attempted to force her into his room, but she fought him off with the butcher-knife she was using to split the kindling, and her little boy, who had been waked by the noise, coming into the kitchen, he retired; but during the morning, and before the return of her husband, the deceased found an opportunity to renew his threat to kill her if she reported a word of what had occurred. All the testimony and collateral circumstances seem to sustain Mrs. Sullivan's statement of the matter to her husband, and the statement she made upon the inquest and the examination is the same. She was apprehended and held on five thousand dollars bail to answer to the charge before the Grand Jury. Mrs. Sullivan was duly arraigned and the case set for Friday, November 24, 1871, when she was very properly acquitted.

Killing of Peter Peters.—A Welchman named Peter Peters was shot and mortally wounded by a fellow-countryman named Job Heycock on Thursday, March 14, 1872. From the testimony given before the Coroner's jury it appears that Heycock was aroused from his sleep on Thursday morning between the hours of four and five o'clock by a great noise in the room adjoining his bedroom. He got up, went into the next room, taking

with him a loaded, double-barreled shot-gun. It was quite dark there; but he thought he noticed somebody going upstairs; he called out to him to stop, but receiving no answer, he fired. The deceased fell down to the bottom of the stairs. Heycock approached him, found him to be Peter Peters, a very particular friend of his. It also appeared from the testimony that William Rees, a person living with Heycock, was about lighting a fire in the kitchen when the deceased approached the window from the outside, broke a pane of glass, raised the window and came in. Rees did not know who the person was, his light having gone out, and was frightened so that he ran upstairs, causing thereby a great noise which woke everybody in the house. The Jury of Inquest returned a verdict of justifiable homicide.

In regard to the principal in this affair, the following "strange story" appeared above the caption "W.," in the *Alameda Advocate* of May 11, 1872: "In 1837, on the 26th of November, the cosmopolitan community of Crumlin, a small village in Monmouthshire, in the western part of England, were aroused and somewhat bewildered by the commission of a foul crime, the perpetrators of which did not only escape, but so skilfully covered their tracks that discovery seemed impossible. A recent disclosure made under very singular circumstances, as will be seen from this brief narrative, has brought to light this once thought impenetrable mystery. The circumstances may not be unfamiliar to many of the old residents of Monmouthshire. The victim was a young man by the name of Mason, who was found dead on the old Crumlin bridge with his body mangled in a fearful manner. A few weeks after this foul crime had been committed, three men disappeared from the village very mysteriously to parts unknown. There has been strong suspicion that these were the guilty parties. One of the three was named Peter Peters, better known in this country as "Welsh Pete." For fifteen years he had been rambling through the different mining districts of California; the last few years he had been laboring in the Mount Diablo coal mines. His voyage through life had been anything but pleasant. Given very much to dissipation, under the effects of which he was laboring on the morning of the 12th of February last, when he, at about five o'clock, leaped from his bed imagining that he was surrounded by a host of enemies, with various kinds of weapons in their hands, with the intention of taking his life. He ran to an adjoining house for protection and jumped through the window of the back kitchen. Mr. Heycock, the proprietor, heard the noise and went to the kitchen door with his gun in his hand, and, as he says, called three times; hearing no reply he discharged the contents of his gun into Welsh Pete's body, when he fell to the floor. In a few moments he seemed quite conscious, the proprietor promptly dispatched a messenger for medical assistance, acknowledging that he had made a mistake. The utmost attention was paid to the wounded man, yet he gradually became more feeble, but his strength and voice were spared to make a clear confession of

being accessory to the murder of T. Mason, on the old Crumlin bridge, thirty-five years before. At ten o'clock the same day his symptoms became worse and in a few moments after he breathed his last."

MURDER OF VALENTINE EISCHLER.—On November 16, 1872, one Valentine Eischler, a German, was killed on Marsh creek, about eight miles southeast of Antioch, near what is called the "Chemisal." He was living with his wife upon a small farm, and had in his employ one Marshall Martin. During the stay of Martin, Mrs. Eischler formed a determination to get rid of her husband, and several plans were formed by her and Martin for carrying into effect her deadly purpose. In pursuance of the plan, Martin went to Antioch one day and purchased a quantity of arsenic, and when he came home she mixed some of it with stewed pumpkin and put it upon the table for supper, but it so happened that Eischler did not partake of any of it. The next morning it was thrown down the privy vault. A few days afterwards she repeated the dish; but Martin claimed that he persuaded her to throw it away. She then wanted Martin to tell Eischler that there were some pigs for sale at Point of Timber, and to go along with him in the wagon, get him to drinking, and then buy a bottle of whisky and put arsenic into it. Martin went along with Eischler, but for some reason the plan did not succeed. Another plan was then formed by which Martin was to knock Eischler off the wagon on the way home from Antioch, and run the wagon over his head. A neighbor riding home with them prevented the execution of this plan. Then she suggested that Martin should shoot him. Martin had a revolver which he had purchased from a man who got it in Vallejo, and it would be necessary to go there to get cartridges to fit it. She gave him the money to go there, and he got the cartridges and returned. The day upon which the murder was committed, Eischler went to Antioch for a load of flour. Martin accompanied him, according to instructions. Before starting she placed an old blanket in the wagon so that Martin, after killing Eischler, could wrap the body up in it, and when he returned she would go with him to an old well near by and they were to throw the body down the well, pour coal oil upon it and burn it up. Martin's heart failed him, and he did not shoot Eischler. When they returned she was very angry with Martin for not carrying out her plan, and told him that he did not love her one bit or he would do as she wished him to. After unloading the flour and putting the horses in the stable, (it being about 4 P. M.) as Martin testified, he went about doing the chores and Eischler commenced making a double-tree. He had a piece of coupling, an ax, saw, hatchet and jack-knife, and was using the wagon-tongue as a work bench. Martin says that while he was watering a cow, which had to be led to water by a rope, Mrs. Eischler came out and commenced talking to her husband. They had some very high words; he heard Eisch-

ler say to his wife: "Woman, take your clothes and go back to the w—— house you came from." Then Mrs. Eischler stepped back and picking up the ax, said: "I'll give you w—— house," and struck her husband on the back of the head, knocking him over the wagon-tongue so that his body doubled over it; she then straddled the tongue and struck him two more blows on the front part of the head. Then she called Martin to come and help her drag the body into the stable. After placing it in the stable Martin went to saddle his horse for the purpose of going to the Good Templars' Lodge, at Eden Plains' School-house, about two miles away. While fixing his horse, he says that she went into the stable with the ax and struck the victim two more blows with the ax, and that when she came out she said that she had found him sitting up, but that she had fixed him now. When Martin returned from the Lodge she told him to go and arouse the neighbors and tell them that Eischler was dead in the stable, and that the horses had kicked him to death. He obeyed her instructions. When the neighbors came some of them suspected that he had been murdered. The next day when they went to examine the body they found a great many hoar-hound burrs upon the woolen shirt of the deceased, and by this means they found where the body had been dragged to the stable. Afterwards they noticed the flies gathering upon Martin's shoes and pants, and this fact, together with the burrs upon the woolen shirt, led them to make search for the place where the murder had been committed. During this search Martin was very active in leading them off in different directions, but finally they came to the wagon and examined the sandy soil around it. They soon found a damp place, and upon putting some of the sand in a basin of water it exhibited a bloody color, and a greasy scum rose to the surface. Martin and the woman were then arrested and taken to Antioch, where they both made confessions, each charging the other, however, with having directly done the murder; and Martin's testimony, under cross-examination on the trial, substantially agreed with this summary of the facts of the case.

Marshall Martin was duly executed January 23, 1874, having previously made a full confession of his share in the dread crime. On the scaffold he said: "Gentlemen, I am here on this platform to die an innocent man. That woman deserves ten times as much to die." It is not meet that we should here note the shocking details of his execution; these will remain in the minds of many of our readers.

The wife of the victim of the barbarous drama has been ever since an inmate of the lunatic asylum at Stockton.

Killing of —— Jamiens.—What is known as "Sydney Flat," about half a mile below Somersville, was the scene of a most wanton murder, committed about one o'clock on the morning of Monday, January 27, 1873. Two wretched and disorderly brothels, to the annoyance and mortification

of the respectable residents of Somersville, had been for some time shamelessly maintained on "Sydney Flat." At the hour named on Monday morning, as is gathered from the evidence, a drunken inmate of one of the establishments, named Hattie Davis, in company with an American, were on the way from one of these houses to the other, which are separated by a distance of two or three hundred yards, followed by a Mexican named Jamiens, and a Mexican boy about seventeen years of age. Jamiens was playing upon a toy musical instrument, and the boy was carrying a bottle of whisky. The woman's drunken brawling attracted the attention of some of the visitors at the brothel she was approaching, and several of the men, among whom was James Carroll, started from the house towards them. On meeting, one of the number, named Green, said the woman asked him to take her home; but, on his attempting to do so, the man who was with her tried to detain her, and he knocked him down. At this moment the two Mexicans joined the group, Jamiens playing upon his harmonica, the toy instrument before mentioned. Carroll asked the Mexican boy what he had in his hand, and on being answered that it was whisky, he snatched the bottle from the boy and knocked him down, either with the bottle or his pistol, and, turning on Jamiens, fired. Jamiens fell, exclaiming, "I am shot through the head," which were his last words, though he did not cease to breathe for some three or four hours afterwards. The deceased had been employed for some time at the Somersville mines, where he bore a good character, and was generally known by the name of "Frank." On April 18th Carroll was convicted of murder in the second degree, and was sentenced to twenty years imprisonment in the State Prison.

Killing of Michael Duffy.—Thomas Redfern was arrested on the afternoon of Saturday, June 21, 1873, at his residence about a mile south of Martinez, for having shot and dangerously wounded Michael Duffy. The wounded man was removed from Redfern's place, where the shooting occurred, to the County Hospital, and his right arm, from the elbow to the shoulder, was found shockingly shattered and mangled by the shot, which had entered the side of the neck, shattering the bones about the head of the spinal column and the base of the skull. He died July 4th. Redfern, it seems, had taken Duffy out to his house some days before, and had been spending most of the time there in convivial indulgences with him, until a quarrel arose between them which culminated in the shooting. May 14, 1874, Redfern was declared by a jury, not guilty.

Murder of Martin Gersbach.—The locality known as the Hertsel Place, on the San Pablo creek, some three miles below what is called the Telegraph Road Crossing, was the scene of a murder on Friday evening, August 1, 1873, almost precisely parallel in cause and circumstances with the Eischler murder mentioned above. If there be any difference at all, it

is that in the last deed both the implicated parties were apparently persons of competent mental capacity and responsibility, while in the other, neither of them, perhaps, were up to the common measure of mental competency and sense of responsibility. In both cases the wife and the paramour plotted the death of the husband; attempted it repeatedly by means of poison, and finally compassed it by direct assault with murderous weapons; in the former case with an ax, and the latter with pistol shot, hammer and ax.

Martin Gersbach was a German by birth, some thirty years of age, who by industry and frugality had accumulated a little money, some three or four thousand dollars, it is said, and had been a lessee of the place where he lived with his family, and where he was murdered, for something more than a year. His wife was a woman of about the same age, of German parentage and American birth. The paramour-murderer, Nash, *alias* William Osterhaus, was a man about the same age, also of German parentage and American birth.

By the woman's statement, Nash was engaged by her husband about Christmas, 1872, to work on the place, and he soon began to pay her some improper attentions, which she slightly resented at first, but soon began to accept and encourage. When the character of the subsisting intimacy became apparent to her husband he became enraged, and threatened to procure a divorce; but as he did not move in the matter further, they plotted to kill him, first dosing him with croton oil, given one day when he complained of being sick, then trying to have him take arsenic in medicine to counteract the effects of the oil, then by putting laudanum in his coffee, which he would not drink after the first taste, and spat on the floor; they then tried to dispose of him by saturating his pillow with chloroform; and then Nash determined to pick a quarrel for the opportunity it might offer of killing him, but was unable to make a quarrel that he would resent. Finally, on Friday night, the 1st August, as she stated, after she and her husband had retired to bed about nine o'clock, Nash, who occupied a room above stairs, called for Gersbach to come up there. Gersbach, instead of complying, rose from the bed on which he was lying with his clothes on, and hurried out of the house, and as he did so Nash came down stairs with a pistol in each hand. He ran out after Gersbach, and she heard six shots fired in quick succession. She then heard a low groan, and, on going to the door, met Nash, who said Martin was shot. Just then he groaned. Nash at once took a hammer from the kitchen, went out to where Gersbach lay, and she heard several blows of the hammer on his head. Nash then returned and said he had finished him. He told her he would go over and tell Rowland, a neighbor, he had killed Martin in self-defense, but just as he was about to go Martin groaned again. Nash went to where he lay, and she heard heavy, dull blows given; Nash then returned to her and said he had finished him with the ax. Nash then went off to carry his report of

the death of Gersbach, and when he returned, before morning, said he would have to leave. He changed his bloody clothes, took about thirty or forty dollars that belonged to his victim, and went away. Such was the woman's statement. The officers found the blood-stained, cast-off clothing of the murderer, his pistol with six empty chambers and the blood and hair-clotted hammer in the room he had occupied, and spots of blood about the floor. Near the spot where the body of his victim fell they found the other pistol, fully charged.

After the murder Nash went to the house of Mr. Muir, a few hundred yards distant from that of the murdered man, and called him up. The dogs barked and made such threatening demonstrations that he remained some little distance off. The barking of the dogs was so furious that Muir could not distinctly hear what he said, further than that Gersbach had been killed; and he therefore dressed and went over, either with Nash or following him, and found the wounded man still alive. Muir requested Nash to help him carry the man into the house, but he refused to do so; and while Muir was gone for other help, as we understand, Nash changed his clothes and left the place. The murdered man lingered until Monday, August 4th, and was sufficiently conscious during a portion of the time to give intelligent directions for the care of his boy and his property affairs by a friend, and to clearly designate Nash as his murderer.

After more than a week's hunt by night and by day among the hills, following up the scent of every reported straggler, and in almost every instance finding they had been on scent of the wrong man, and while Sheriff Ivory and his staff of officers were still scouring the hills and valleys for Nash, a telegram was received, August 11th, from Governor Booth, with the information that he had been captured at Battle Mountain, Nevada. Under-Sheriff Hunsaker immediately dispatched a courier to find Sheriff Ivory, and telegraphed to the Battle Mountain Justice that he would start for the prisoner immediately, inquiring at the same time if he had a description of Nash, and was sure he had him. A reply was received from the Justice later in the evening, that he had the description, and the prisoner acknowledged himself the man. The courier sent for Mr. Ivory found him above Danville, shaping his course towards Tassajara. He at once turned homeward and with all speed made his way to Battle Mountain. Nash was duly tried, found guilty May 1, 1874, and sentenced to imprisonment for life. In the case of Mary Gersbach, the jury, after three days' and nights' confinement for deliberation failed to agree. She was again tried, with a like result in December, 1874. The case dragged its slow length along up till November 9, 1875, when District Attorney Mills applied to the Supreme Court for peremptory writ of mandate and review in the case of Mary Gersbach, which was denied; on Wednesday, November 17th, she was discharged from custody on her own bond of five thousand dollars.

J. E. Durham

HOMICIDE OF GEORGE MUTH.—The village of San Pablo was the scene of another bloody murder; the date was August 10, 1873. The victim in this case was George Muth, a young German, who had lived some years in the vicinity, and was generally liked and respected. He was killed by Henry Ploeger, also a German, who lived usually in San Francisco, but for some years, during part of each season, had been engaged in hay-pressing, and had been so employed in San Pablo at the time of the slaying. He had, some time back, it is said, sold a hay press to Muth, and was displeased with him because he had engaged in business rivalry with him. On Sunday, August 10th, both parties were at the village, and both had been drinking, though it was a very unusual thing for Muth to do so. Ploeger had made threats against Muth, and the latter, just as Ploeger was about to mount his horse, crossed from the opposite side of the road and laid his hand on his, Ploeger's, shoulder, asking him: "what he was threatening him for?" or, "what had he against him?" or some question of such purport. Ploeger instantly drew his pistol and shot him through the heart, killing him almost instantly. Ploeger claimed that he anticipated an attack with a pistol when he drew his, and that the shooting was unintentional. The by-standers, though, did not seem to have been impressed with such a belief, and were inclined to execute summary justice on the spot, regarding it as an act of unprovoked and wanton murder. The prisoner was, however, held by the officers and safely taken to the jail at Martinez, November 27, 1873; he was convicted of manslaughter and sentenced to six years imprisonment in the State Prison.

KILLING OF RAMON CHAVIS.—A native Californian half-breed named Ramon Chavis was shot by Constable John Wilcox on Sunday, August 23, 1874, at San Pablo. It appears that the deceased had been at the house of Wilcox, drinking and quarreling during the evening, and Wilcox had several times been obliged to intervene to stop fights in which he had engaged. Before the shooting Wilcox had retired to bed, but was called up by some one who said that deceased and some one else were killing somebody. Wilcox got up, partially dressed himself, took his pistol and went out, to find Chavis and another partially drunken man charging their horses and riding over a man they had thrown down in the road, who was a half demented or insane person residing in the place. Wilcox commanded them to desist, when Chavis rode off a few yards, wheeled his horse and charged on him. When within a few feet Wilcox fired, and Chavis fell with a shot under the eye-socket. The Coroner's Jury found that the homicide was justifiable.

MURDER OF AH HUNG.—The salient facts in this case are as follows: The deceased, Ah Hung, some two months previously opened a new wash-house at Pacheco, and subsequently took Ah Sing into partnership relations. There was also a Chinese boy, Ung Gow, employed in the establishment.

They all retired as usual on the night of Sunday, January 16, 1876, Ah Hung sleeping in an inner apartment, Ah Sing in an outer room, on a table, and the boy, Ung Gow, on the floor, under the table. About daylight the boy was awakened by a noise, and heard Ah Hung exclaiming that he was killed. He ran into the room and saw Ah Sing attempting to haul him off the bed and chopping him with a hatchet. The boy attempted to pull Ah Sing away, but he turned and struck at him with the hatchet, inflicting one or two cuts and saying he would kill him too. Ung Gow ran out to escape him, and went directly to the other wash-house, up the street, to give the alarm and find protection, but was refused admittance and driven away. He then went over to the place of Mr. Tiedeman and reported what had occurred. Constable Henry Wells was the first to visit the scene of the homicide, and there found the deceased in the front apartment, still with life enough remaining to make some moans of suffering, and most horribly hacked, and he survived but a few moments. From the appearance of the place it was evident that the dead man had made a fearful struggle for life after being mortally wounded, the floor and walls were marked with bloody hand-prints, showing where he had endeavored to regain his feet, while blood clots and even pieces of bone from his skull lay about the floor and on the walls. The murderer was captured and had on his person clothing and money, together with a purse identified as the property of the deceased. April 19, 1876, Ah Sing was tried, made the plea of murder in the second degree, and was sentenced to forty-five years imprisonment in the State Prison.

Killing of Jose Arrayo.—A bloody affray occurred on Friday, March 2, 1877, about three-quarters of a mile from Walnut Creek, when José Arrayo was stabbed by Ramon Romero. The stabber was at once arrested. Arrayo died on the 10th March, and Romero was committed on the charge of murder, for which he was tried, found guilty November 23, 1877, and imprisoned for life in the State Prison.

Killing of James Mills.—On Monday, June 18, 1877, a young man named Mills was fatally stabbed in an affray with P. B. Martin. It would appear that ill-feeling had existed for some time between the parties, which culminated in a fight on the day named. Mills died on June 24th, and Martin was arrested, tried, and, April 20, 1877, found not guilty.

Killing of George Mitchell.—At an early hour of Friday morning, February 1, 1878, it was rumored about Antioch that George Mitchell, an old resident of that town, was not to be found, and there was a strong suspicion that he had been murdered. About half-past ten o'clock on Thursday night he accompanied William Brunkhorst to his residence on Front street, with a lantern, the night being dark and stormy. Mitchell was duly sober and told Brunkhorst on parting that he was going to Dahnken's saloon on

the wharf where he slept, and retire for the night. Carson Dahnken had closed the saloon. In about fifteen minutes after Mitchell left Brunkhorst, a pistol-shot was heard on the wharf by several parties, but it seems no one went out to ascertain the occasion of the shooting. Dahnken, who slept in the rear of the saloon building, said he also heard the breaking of a lantern, the broken glass of which, together with several spots of clotted blood, were plainly to be seen upon the wharf. It was believed from the circumstances that Mitchell had been murdered and thrown into the river from off the wharf. Poles were brought and a moment's search proved that such was the case. The dead body of Mitchell was brought forth from the water and a bullet-hole or knife-wound found on his left side over the heart. Suspicion at once fastened upon William Hank, a German, in charge of the schooner *A. P. Jordan*, which had been lying at anchor a few miles down the river. Hank had been in town on Thursday, drinking freely, exhibited a pistol, and was once during the day prevented from shooting at a man in Martin's saloon, by Martin. Shortly after the shooting on the wharf Hank went into Gordon's saloon and told the bar-keeper, Johnson, that he had just killed a man on the wharf, his, Hank's clothes, being at the time quite bloody, with his nose, face and lips scratched and bleeding. Going out of Gordon's saloon he fired at some dogs and finally went to Dahnken's hotel and entered the room of Joseph Parker, a boarder. Parker awoke and finding a strange man in the room inquired what he wanted; Hank said he was a stranger in the house and wanted a room. He finally slept upon a lounge in the sitting-room, where, his pistol was found in the morning by Dahnken. While search was being made for Mitchell on Friday morning, Hank left the wharf in his sail-boat for his schooner. As soon as the body of Mitchell was found, Constable Pitts, with two Italian fishermen, started in pursuit with a boat and overtook him. Pitts got into his (Hank's) boat, and on being told that he (Pitts) was an officer come to arrest him, Hanks leaped overboard. He was handcuffed by the Constable while in the water, then taken into the boat, tied and brought shivering with cold from his voluntary bath to Antioch. George Mitchell was an Englishman, forty-seven years of age, and had lived in Antioch and its vicinity since 1859. On April 24, 1878, Hanks was tried and acquitted. Immediately after the trial, and ere he had left the court-room, he was joined in matrimony to Mary Augusta Raymond, who was present during the proceedings, and watched the case with eager interest.

Killing of Jose Reyes Berryessa.—On Monday evening, May 20, 1878, near the crossing of West Main and Castro streets, in the town of Martinez, José Reyes Berryessa, a native Californian, made an assault upon Louis Kamp, in resisting which he shot and killed his assailant. It appears that Kamp was passing along the street towards the bridge, carrying a pail

of water, when Berryessa approached and addressed him angrily in Spanish, Kamp answering in the same language. Berryessa then assaulted him with violent blows of his fists, causing him to drop his water bucket, then grappled and threw him repeatedly and violently, either with his fist or a stone, cutting his face and causing a copious flow of blood. Just then Constable Gift's attention, in passing, being attracted to the affray, ran forward, pulled Berryessa off and commanding the peace, told them they were both under arrest and must go with him before the justice. Kamp said he would go, but Berryessa defied the officer insultingly, and immediately renewed the assault upon Kamp, striking, and again throwing and falling upon and hitting him with a stone while down. Gift again pulled him off, but he struggled free from his grasp, making threatening demonstrations of continuing the assault upon Kamp, who was then upon his feet, and according to the testimony, backing away while drawing a pistol from his right hip pocket, which he presented and fired just as Berryessa, in breaking from Gift's hold to reach him was turned partially sideways, some ten or twelve feet from him, and the shot entered his right side just below the nipple. Berryessa stooped, placed both hands on the wounded part, walked to the sidewalk from near the middle of the street, sat down, and in a few seconds expired. The verdict of the Coroner's jury was that the killing was justifiable.

DEATH OF AN UNKNOWN MAN.—The *Contra Costa Gazette* of March 22, 1879, has the following: "We mentioned last week that the body of a man, some time dead, was found on the afternoon of the 13th inst., on Hyde's ranch, about four miles south of Cornwall station, and that Coronor Hiller had gone up to hold an inquest. Following is the verdict of the inquest:

'We, the jury summoned to inquire into the cause of the death of a man found on the 13th day of March, 1879, lying on the ranch of F. A. Hyde, caught in the fence dividing the lands of said Hyde and W. E. Whitney, having viewed the body and heard the testimony presented, on our oaths do say, that from the evidence we suppose his name to be Levy Gish, aged about thirty years, nativity unknown, and that he came to his death some time in the first part of March, 1879, the exact date being uncertain and that his death was caused by violence, but by whose act is to the jury unknown.

'Hyde's Ranch, March 14, 1879.

'Signed: A. A. Hadley, B. K. Walker, Thomas Prichard, Wm. Fahy, Lewis H. Abbott, John Tepe, W. J. Whitney, Joseph McCloskey.'

"The body was that of a man apparently between thirty and thirty-five years of age, about five feet seven or eight inches in height, with fine brown curly hair, curling in small curls all over his head, and reddish moustache, no beard, dressed in light colored cassimere pants, dark-brown striped calico

shirt, with undershirt made of flour-sacks having the brand of the Kern River Mills, hickory outside shirt, old boots with tops cut off, and no coat on body. The body, with a bullet or bludgeon wound on the back of the head, was found lying on the west of the fence dividing land of Hyde from land of W. E. Whitney. Both feet were through between the pickets, apparently caught while he was endeavoring to get over the fence. The body was lying partially on the left side, with left arm bent up under it and right arm extending upwards and in front of face, and sleeve of shirt drawn up over the hand. About twenty-five feet from the body, along near the fence, there were signs of a struggle, the ground being torn up and a great deal of blood on the lower part of the fence, and some hair from the head of the deceased on the pickets. Some four or five feet from the fence lay a pair of new gray blankets with a great deal of blood on them, and near them an old coat very much wrinkled and a great deal of blood on it and curls of hair similar to that on the man's head, and on the blanket. Near the head of the body lay a pair of blankets similar to the others, but clean, rolled up and not tied, a black felt hat, and a letter from Abram S. Gish addressed to Levy Gish, Ellis Station, dated in October, 1870. Over the fence about twenty feet from the body was an account of sales of wheat and a letter dated March 6th, 1871, from Bryant & Cook, Commission Merchants, San Francisco, addressed "Levy Gish, Ellis Station." The body had evidently been lying there six or eight days.

"Constable Erwin, of Point of Timber, has since been at Martinez, where Mr. Hiller has the effects found with the body, has identified the pants, and, from the description, is satisfied that the man is one whom he arrested February 25th, with two others, for burglarizing Peter Swift's house near Point of Timber, and found in his possession five letters directed to Levy Gish, Ellis, and Moore's Landing. The men were taken by Erwin to Antioch and lodged in jail there, and the same night broke out and decamped. Erwin also identifies the coat as one that was worn by one of the companions of the deceased when arrested, but the coat then worn by him was of a better style and quality. The probability is strong, therefore, that the dead man was one of the three fugitive burglars, who received his death wound at the hands of his companions, or some other unknown person or persons, within a short time after their escape from the Antioch lock-up. It could hardly have occurred immediately after, as the ground where the body was found had been marked when wet, in the death struggles of the deceased, and it did not rain until several days after their break out, on the morning of February 26th. It may, therefore, be inferred that they remained somewhere concealed in the neighborhood for, possibly, a week or more, there being no way of determining when the supposed murder was committed, further than that, from the condition of the body, it could not have been less than eight or ten days before the remains were discovered, and it must

have been after the rains of the first week in the month had softened the before hard dry ground.

"It will be remembered by our readers that we mentioned the arrest last week of four tramps by Constable Gift, at the Granger's hay barn, on suspicion that they might have had something to do with the burglary of Blum's store and safe, but, as nothing was disclosed that would warrant their being held in custody, they were turned loose. Now from the description, and other circumstances, Mr. Erwin is confident that two of these persons were the same that he arrested for the Point of Timber burglary and placed in the Antioch lock-up with the man since found dead. The coat worn by one of the men arrested here Mr. Erwin is confident was the one worn by the deceased when he made the arrest at the Point of Timber, and the coat found near the dead body, which is now in the keeping of Coroner Hiller, Mr. Erwin identified as one worn by one of the other persons whom he arrested and lodged in the Antioch lock-up, allowing them, after search, and taking from them a dirk and pocket knife, to retain a bag containing clothing and among other articles a blouse similar to one which these tramps, while held in jail here, gave to one of the prisoners confined there awaiting trial. On these circumstances and other facts, which it may not be judicious to mention here, the inference is justified that two, if not all four of this tramp party are implicated in the murder, and warrants have been issued for their arrest."

The Antioch *Ledger* of March 1st had the following report of the arrest and escape of the burglars:—

"Three tramps, who gave their names as John Sullivan, Charles Williams and William Dency, broke into Peter Swift's house, situated near the Salt Pond, Point of Timber, about nine o'clock Tuesday morning, and appropriated to their own use a suit of clothes, a quantity of food, and sundry other articles. Swift was absent at work in the field; missing the stolen property shortly after, he procured a warrant from Justice Carey, and Constable Erwin overtook and arrested the parties near the Point of Timber schoolhouse. They were brought to Antioch Tuesday evening and confined in the town jail, to await trial the following morning. Erwin visited the jail premises at midnight and finding his captives secure, retired, but in the morning discovered that the trio had departed. Though thoroughly searched when placed in confinement, they had cut off a two-inch plank about a foot above the floor, pried it off and were free. It is evident the cutting was not done with a knife, but was evidently the work of a chisel or small hatchet. It is also apparent that they were furnished the necessary implements by outside parties. A knot hole in one of the planks had been enlarged from the outside so as to admit of an instrument two inches in diameter.

"In answer to letters addressed to them for information relating to Levy Gish, presumed to have been a resident of that vicinity, Coroner Hiller,

since the foregoing was in type, has learned, from the Postmaster and Constable at Ellis, that the person is now living in San Diego county, from whence a letter written by him on the 5th instant has been received at Ellis. They inform Mr. Hiller that the cabin Gish formerly occupied was recently broken into and rifled by tramps, who are presumed to have taken away the letters addressed to Gish, which were found by Constable Erwin when he made the arrests at the Point of Timber and those found near the dead body on Hyde's ranch, and which led the jury to presume that the name of the deceased was Levy Gish, who, as now appears, is doubtless alive and well in San Diego county, while some other name belonged to the dead, and probably murdered man."

MURDER OF —— LANGBHEN.—The following particulars relating to this tragedy, which occurred near Marsh Landing on May 16, 1879, are an excerpt from the San Francisco *Bulletin* of the time: The tules in the vicinity of Antioch were the scene of a horrible tragedy last Friday morning, consisting of the murder of two children, aged respectively six and four years, by their father, and the latter's suicide. Some six weeks ago he took up his quarters on a vegetable ranch owned by his nephew near Marsh Landing, a place about five miles from Antioch. Langbhen and his family were fresh from Faderland. They were quiet and industrious people, the most affectionate relations existing between husband and wife and between parents and children. For the want of anything better to do Langbhen worked on his nephew's ranch, cultivating small fruits and vegetables, which the nephew took to Antioch and sold. The nephew boarded with the family. While working in the fields Langbhen was usually accompanied by his two children, who whiled the time away in playing and weeding. At half-past four on Friday morning Langbhen got up and prepared breakfast for his nephew, as was his wont, and after the latter left for Antioch with a load of strawberries, he went to the field to work; soon after his children followed him. At about eight o'clock Langbhen was seen by Max Klein, a neighbor, who was at the time cutting potatoes in his barn, a few rods from the Langbhen residence, to tie the shoe-lace of the little girl. He was then seen to take the two children to the adjacent tules; soon after he was observed coming out of the tules without the children, and walking rapidly toward his house. Immediately after he reached it, Mrs. Langbhen rushed out in an excited state, throwing up her hands in despair, and talking excitedly in German. This was followed quickly by the discharge of a gun. The neighbors naturally enough rushed to the scene. A Mr. Fleckaman, a next-door neighbor to the Langbhens, reached the house first, and entering it, he beheld a horrible sight. Langbhen was leaning against the wall, almost doubled up, and dead, with a double-barreled shotgun grasped firmly in his hands and the muzzle in his mouth, with his

toe against the trigger. The charge had passed into the unfortunate man's head and spattered his brains all over the room. After partly recovering from the shock a search was begun for the children, who were missing. About an hour later the two were found by a Portuguese gardener, lying dead, side by side, in the tules, not far from where Langbhen had been seen to emerge. The little girl's skull had been smashed with a heavy blunt instrument and her throat cut from ear to ear, severing the jugular vein, and a piece of flesh had also been cut out of one of her hands. The boy's body bore no marks of violence, excepting that his head was nearly severed from the trunk. Near the bodies were found the apron worn by Langbhen at the time he slaughtered his children, and the heavy bludgeon with which it is supposed he beat in the skull of his little daughter. Both articles were covered with blood. The throats of the little ones are supposed to have been cut with a scythe-blade or some similar instrument, as in each case the frightful wound had been inflicted with one blow. But no such weapon, or any other corresponding to it, could be found, although a most careful search was made in the neighborhood.

Murder of a Chinawoman.—A Chinawoman was stabbed and killed by a Chinaman named Ah Yen on Saturday, September 27, 1879, at Antioch. On examination it appeared that the man who killed her, and another Chinaman, who claimed to own the woman, having bought her for one hundred and eighty dollars, came to Antioch together three or four weeks previously from one of the mountain mining districts. What the relation of the parties was, or what the provocation for the murderous assault, whether hatred, jealousy, revenge, or suddenly aroused anger, was not made clear by the evidence adduced at the examination. Ah Yen was tried, convicted of murder in the second degree, and sentenced to twenty-eight years in the State Prison.

Killing of Thomas Sheridan.—A serious affray occurred on Saturday, June 12, 1880, in Moraga valley, which resulted in the death of Thomas Sheridan, a young man of eighteen or nineteen years of age. The difficulty occurred on land lying south or southeast of the Moraga Rancho, claimed as being in the Sobrante Grant, but supposed to be public land, and occupied as such for ten years, or more, past. Upon a quarter-section of this land, with consent, or upon bargain with the original squatter claimant, S. S. Kendall, an old resident of the Moraga valley, had cut a quantity of wood. Whether the original claimant had technically lost his right or not is a matter of dispute, but the land for the last year or two had been claimed and occupied by John Sheridan and his family. Mr. Kendall being himself a cripple—having a few years before suffered the loss of a leg—and anticipating some opposition in removing the wood, engaged a neighbor, T. B. Fulton, and a negro named Charles Mingo, to load and haul it away. These

men went out for the purpose, armed with a breech-loading rifle and a revolver. On undertaking to load the wood Mrs. Sheridan came out and forbade them. She was followed by Mr. Sheridan, armed with a hatchet, Thomas Sheridan with a double-barreled shot-gun, and a man named Gleeson with a single-barreled gun. As the statements go, Sheridan attacked Fulton with the hatchet, striking him several times upon the head and inflicting some severe cuts. Gleeson also struck him once, or more, with his gun. Mingo, holding his rifle in one hand, seized Sheridan with the other, and endeavored to drag him off Fulton. Thomas Sheridan, at a distance of a few yards, leveled his gun on Mingo, and walked around, approaching nearer, to get in range to shoot him without danger of shooting his father, Mingo, meanwhile, endeavoring to keep the father as a shield between himself and the son. The latter, however, gained a position of vantage where Mingo saw that he would have a clear shot at him; he then hastily dropped the barrel of his own rifle to range with the breech at his hip, and fired, the ball entering the abdomen of young Sheridan and causing his death within half or three-quarters of an hour.

Killing of Manuel Sibrian.—Manuel Sibrian was shot and killed with a pistol by Narciso Miranda on Thursday, July 1, 1880, at the place of the latter's residence in the San Ramon hills, about a mile southwest of Alamo. Both men were native Californians of Mexican descent, Miranda about twenty-five and Sibrian about forty-five years of age. Both were living in the hills on adjoining claims of supposed Government land—though also claimed by Carpentier as part of the Sobrante Grant. It is said that there had been bad feeling for a long time between Miranda and the deceased, arising from disputes as to the rightful claim of the latter to the land he had been occupying. As we are informed, the land was taken up on pre-emption claim some years ago by Miranda's father, who had since died, and who permitted Sibrian to temporarily occupy it when he had nowhere to put his family, after having been obliged to leave a residence property he had previously occupied. On the part of the Miranda family it is asserted that Sibrian, since their father's death, has wrongfully claimed and insisted on retaining possession of the land as his own. On the day mentioned, at the meeting that resulted in his death, he went to Miranda's house in anger and made an attack upon him with a club, to which Miranda responded by shooting him several times in the abdomen with a revolving Derringer pistol. Miranda was duly tried, convicted of manslaughter, and, August 11th, sentenced to one year and one month's imprisonment in the State Prison.

Killing of Louis Farreri.—A series of affrays occurred on Saturday night, March 19, 1881, at Nortonville, between Italians and persons of other nationalities employed about the coal mines there, in one of which an Italian

named Louis Farreri received a blow upon the head from a slung-shot, club or stone, that resulted in his death a few hours after the occurrence. From what we learn in relation to the matter, it appears that a considerable number of Italian laborers had been employed in the mine, cutting out coal, at less than the usual rates of compensation, thus creating an unfriendly feeling between them and the regular miners of other nationalities there employed; but which had not, prior to this occurrence, led to any personal collisions. Recently, however, a number of miners of rough habits had arrived at Nortonville from the north coast mines, who had shown a disposition to engage in personal affrays with the Italians, and from such evidence as has been elicited, they are presumed to have been the assailants in Saturday night's encounters, of which there were several prior to that in which Farreri received the fatal injury. This occurred about midnight, when, as testified by another Italian who was with the deceased, they were assailed by half a dozen or more persons and Farreri knocked down, while he, the witness, took to flight. Farreri was found shortly afterward, by a countryman, lying in a partial stupor upon the ground where he had fallen. On being roused up he complained of violent pain in the head, but was able to walk, and his countryman attended him to the gate of his residence, after seeing him enter which he left him. A little later another countryman, passing, noticed him lying upon the stoop of the house, moaning. He assisted him into the kitchen and urged him to go to bed; but Farreri said his head hurt him very much, and he would rest where he was. Thinking he was only affected by drink, and would soon sleep off its effects, the man left him there, without awakening the wife or children of the sufferer. Still later, another Italian passing the house and hearing groans, entered the kitchen and found Farreri upon the floor complaining that his head hurt him. Mrs. Farreri was called up, but they could not persuade the sufferer to go to bed, and both the caller and she thought he was affected by drinking. After her countrymen left, Mrs. Farreri remained in the kitchen with her husband until he fell off into a doze, and appeared to be sleeping, without suffering much pain, when she returned to her bed, about three o'clock; but on awakening about daylight and going to him she found he was dead.

In the absence of Coroner Guy, a jury was summoned, an inquest held on Sunday by Justice Wall, and a verdict found of death from "natural causes and the visitation of God."

District Attorney Chase went up on Monday, and at his instance a jury was summoned and inquest held by Coroner Guy. The testimony of Doctors Leffler and Wemple, given upon a *post mortem* examination, went to show that the skull of the deceased had been fractured by a club, stone, slung-shot, or some other heavy, dull weapon, and that death was caused thereby. Many other witnesses were examined, but no testimony found by which the act could be fixed upon any particular person or persons, although

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some six or eight had been arrested on presumption of implication in the assault, all of them recent comers in the place from the north coast, and a verdict was found that the deceased came to his death from a skull fracture, caused by the blow of some instrument in the hands of some unknown person.

The deceased is said to have been a generally quiet and well-disposed man, who left a widow and four children unprovided for.

KILLING OF PATRICK SULLIVAN.—Patrick Sullivan, who lived with his family on the Wild Cat branch of the San Pablo creek, left Oakland on Monday evening, March 28, 1881, in his wagon, and never reached his home. Alarmed by his protracted absence, his family and friends instituted search for him Tuesday morning, and his dead body was found riddled with buckshot and one arm around the axletree of the wagon several hundred yards below the road near the creek-side. From appearances it was concluded that after being shot he fell forward over the front of the wagon, and grasped the axletree in an unconscious dying effort, the horse breaking from the road and running (dragging the body) to the place near the creek where the wagon was found. Firing had been heard by some of the people living in the vicinity the previous evening, and foot-tracks were found about the place in the road where it was evident the fatal shot was delivered, and from the direction of these tracks, and the fact that there had been a long existing feud between himself and the deceased, suspicion led to the arrest of a neighbor named Robert Lyle, in whose house was found a double-barrelled shotgun that had the appearance of having been recently fired, and several buckshot of the size of those with which Sullivan was shot. An inquest was held on the body by Deputy Coroner Livingston, and a verdict found on Thursday that the deceased came to his death from a gun-shot wound inflicted by some person unknown to the jury. Lyle was taken down from the jail on Friday, April 1st, for examination at San Pablo, on accusation of the murder. The deceased Sullivan left a wife and seven or eight children. Lyle was held to answer and trial set for April 11, 1881, when he was discharged.

KILLING OF —— SHERIDAN.—The circumstance of the case as related are: That the Sheridan boys, sons of John Sheridan, living in the Grizzly cañon, found that one of their goats had been killed by a coyote, which had partaken of the flesh to the satisfaction of its hunger, but would probably return to feast again from the carcass, when they hoped by lying in ambush to be able to shoot the predator upon their flock. Accordingly, having invited a neighbor, Michael Hennessey, to join them, they went out on the evening of Wednesday, the 11th May, 1881, about dusk, and took a position behind a bush some thirty yards more or less from the carcass of the goat, John Sheridan, the elder of the brothers, having a rifle, and Daniel C., the younger, a boy of fourteen years, having no weapon. They were soon after

ward joined by Mr. Hennessey, with a double-barreled shot gun. Mr. Hennessey selected an ambush position for himself some little distance from that occupied by the boys, and directed the younger one, who had no weapon, to go to a tree on the top of the ridge, behind and above his position, where he could have a good outlook over the ground, and if he saw the coyote to make a signal. Hennessey then took the position he had chosen, and, after lying quietly in wait for nearly half an hour, heard a rustling in the grass or brush on his left, and looking in that direction at a distance of some twenty or thirty yards saw a moving object, that he took to be the head of a coyote, that appeared to be peering warily about, as if suspicious that danger might be lurking near for him. In the belief that it was a coyote Mr. Hennessey raised his gun, but lowered it to assure himself of the position of the supposed animal, and, without the most distant thought that the boy was anywhere in that direction, raised his gun again and fired. The poor lad instantly cried, "It's me you've shot! I'm killed!" Mr. Hennessey instantly exclaimed, "My God, John, I've shot Connie! Run for help!" He ran himself immediately to the wounded boy, took him in his arms, and held him until some neighbors, called by the brother, came, and they carried the lifeless body to the house. The boy survived only ten or fifteen minutes after Mr. Hennessey reached and took him in his arms, but never spoke again after exclaiming that he had been shot and killed. The Jury of Inquest found in accordance with the evidence that the killing was purely accidental.

KILLING OF CHRISTIAN SMITH.—The following article is from the *Contra Costa Gazette* of July 9, 1881:—

"Last Monday morning, July 4, 1881, about eight o'clock, when the jail cells were unlocked to let the prisoners out into the corridor for breakfast, Henry Grosser, awaiting trial on charge of murder for the killing of Christian Smith, on Marsh creek, in May, did not come out with the others, and one of them looking into the cell discovered his body hanging from the center ventilating grating in the ceiling, or crown sheet. All warmth had left the body, and from facts afterward learned it is supposed to have been hanging there from about midnight. A jury of inquest was immediately organized by Deputy-Coroner Livingston, and inquiry as to circumstances of the suicide proceeded with. It was ascertained by examination that the deceased had knotted a flour sack, of the fifty pound size, tightly around his neck, and, the ends being short, after first crossing, to complete the knot, had been laid back and wound with twine to fasten them. Through the collar thus formed the leg of a pair of drawers had been inserted, the ends passed up between and brought down over the grating bars and tightly knotted, the deceased standing upon an empty candle box to do this, then pushing the box away with his feet and leaving himself suspended, to die by suffocation, as there was no fall sufficient to break the spinal column, and,

although the hands being free, had there not been great determination to effect the purpose, he could have reached up and unloosed the knot, as there might have been an inclination to do for relief from the choking sensation. But it is not probable that such attempt was made, or some sound of it would have been heard by the occupant of the adjoining cell, who was awake and heard the noise made by the box when, as is supposed, it was pushed from under him upon the iron floor. On hearing this noise the prisoner called to Grosser and enquired if he was awake, but got no response and heard no further sound. When found in the morning, the arms were hanging close to the body and the feet within two or three inches of the floor.

"Grosser was a German by birth, about fifty years of age, but in appearance ten years or more older. After having been some years in this country he returned to Germany, where he married, and came back with his wife about twelve years ago. They have since had four children, three girls and one boy, the eldest child is about twelve, and the youngest about one year of age. They have been living upon Marsh creek some three years, and have been well thought of by their neighbors, as people of good character and hard-working, industrious habits. Before moving to that neighborhood they had, either as share partners or *employés* business relations with Smith, for the killing of whom Grosser was to have been tried on charge of murder. The land upon which they lived was purchased by Smith, and a deed for one-half of it was afterwards made to Mrs. Grosser, in consideration, as the Grossers claim, of a lot of sheep sold or transferred in exchange to him. The business of farming and stock keeping on the place at Marsh creek appears to have been engaged in upon some partnership basis or understanding between the Grossers and Smith, and there has, within the past year, grown up difficulties about settlement of the business between them.

"Smith's family lived at Oakland, but he was frequently at Marsh creek, and spent considerable of his time at Grosser's. A short time before Smith was shot, Grosser said his wife had informed him that he had made grossly improper proposals and approaches to her, which greatly shocked and enraged him. He then resolved to resent a repetition of such insults should they be offered, and on Smith's next visit to the ranch he armed himself with a pistol, procured for the purpose, and seeing him enter the milk cellar, he followed to find that he had seized and thrown Mrs. Grosser upon the ground; he thereupon fired; the shot missed, and Smith ran out, but, as he passed, he fired again, shooting him in the arm. Smith continued running until he fell on receiving another shot in the body, from the effects of which he died two days afterward. Grosser, after calling to a man near by and telling what he had done, ran to a neighboring house, which he entered in a frenzy of excitement and said he had killed Smith. Neighbors were quickly

gathered, who removed Smith to the house, and found Mrs. Grosser upon the milk cellar floor in a swoon, with her lower limbs exposed below the knees. It was half an hour before she became conscious and was able to relate the circumstances of the assault until the moment of being thrown upon the ground, when she swooned, and became unconscious. The statements of the circumstances made by Grosser and his wife were accepted as the truth by the neighborhood generally. But rumors soon gained currency that an improper intimacy, known to Grosser, had subsisted for some time between his wife and Smith, and that the story of the assault upon her had been invented to furnish a reason for killing him in the hope of thus being able to avoid payment of what they owed him. It was upon such testimony as was offered in support of the charge or theory of such a design that Grosser was held for trial on the charge of murder, the case having been set for Tuesday next.

"All day Friday, Saturday and Sunday were spent by Mrs. Grosser at the jail in company with her husband, and she seemed deeply distressed by the reports reflecting upon her character and the charges of plotting the murder of Smith.

"About ten o'clock Sunday night Grosser called to Robert Lyle, in an adjoining cell on one side of his, and asked if he could lend him a pencil. Lyle replied that he could, and threw his pencil up through the ventilating grating in such a way that it fell through the grating of Grosser's cell. With this pencil he is supposed to have concluded a writing, covering four or five sheets of note paper, commencing with a date of 'July 1.' This writing was found between the pages of a magazine or pamphlet in the cell. It is somewhat disconnectedly written, and is without signature. In substance, with immaterial omissions, it is as follows:

"'I herewith make a statement. From what I hear, they are making numerous charges against me and my wife. About the larceny of sheep, when under attachment, I had no reason to suppose I was doing wrong in moving them over the county line. Mr. White and others knew all about that matter. I was attending to the sheep for Smith, and always thought he was a respectable man until of late. The horses and stock were assessed to me and my wife by Smith's request, as he said it would be better to have the taxes all paid together. A year ago last Fall Smith requested me to sell the cattle if I could get $25 per head for them all round. I told him it would be impossible, they were too poor, and he then told me to do the best I could with them. When he came back from Europe he was well satisfied with what I had done. I told him about the crop and everything. He thought it best not to sell the grain until it would bring a better price. I gave him an order on Charles Clayton to sell, and understood him to say he had sold, but don't know as yet what he got, but told me he had the account.

"'When we undertook to settle I knew I owed him. I proposed to let him have the growing crop. He said he would rather not take it, as there was no telling what it would be. I know he has paid out money for lumber and other things. I would have settled with him but he would not pay half the store bill as he had agreed. He had boarded with us most the time last Winter, and I had kept no account of it. I had also boarded all the men chopping wood, and had hauled it for him to Brentwood.

"'When we commenced farming together I was to have half his horses, two of them valued at $150 and three others at $60. I had two cows, one died, and the other was with calf. I let him have that one for another from which I raised a calf until it was a cow. I let them run with his. He had a great many and I was to have the pick of two from the lot, but he took away all the calves and said he would make it all right. When we first started with sheep I had $700 coming to me for which I and my wife had worked and which I took in lambs at $2 a head. I then turned them over to him and went to work for him at $30 per month. My wife was cooking for herders and shearers when the sheep were sheared at the place where we lived, and sometimes at other places. I worked for him until I moved over to Marsh creek.

"'In regard to this affair, most any other man would have done the same. I am satisfied my wife never had any improper intercourse with Smith or any other man. I was never inside a jail until now. I never spent money unnecessarily. All I had I got honestly. I hear they are trying to make out that my wife is a prostitute, which I can't listen to no more—that hurts my feelings so much that I am tired of living.'"

Then follows a statement of small sums due, from Smith and himself together, to various individuals, and the writing concludes as follows:

"'I never, never thought of getting in this trouble a day or two before it happened. I often walked from place to place. I did not know what I was looking for. I am indebted to Mr. Welch $12 for that pistol. I think I am going to a better world. I forgive everybody the same I would take myself. I was too easy (or accommodating) for my own good.'"

TOWNSHIP NUMBER ONE.

Geography.—Township Number One is bounded on the north by Suisun Bay and the Straits of Carquinez; on the east by Township Number Three; on the south by Township Number Two and the line of Alameda county; and on the west by San Pablo Bay and the Bay of San Francisco.

Topography.—Like most of the others in the county the topography of this township is varied, ranges of foot-hills being varied with fertile valleys lying in between, while, along its western shore is a strip of the most fertile land in the State. The western coast-line is much indented, Point Pinole and the peninsula of San Pablo jutting for a considerable distance into the sea and forming the Contra Costa side of the San Pablo straits. The northern extremity of the latter is named Point San Pablo, the southern, Point Potrero, while immediately north of the line dividing the counties of Contra Costa and Alameda is Point Isabel, off which there is Brooks Island, northwest therefrom lies Red Rock, and off Point San Pablo, are the islets known as Whiting's Rock and The Brothers, where there is a lighthouse to guide the sailor into San Pablo Bay. Of the streams, we have El Hambre creek, flowing in a northerly direction through the town of Martinez, and falling into the Straits of Carquinez; the Rodeo and Pinole creeks flowing northwesterly into San Pablo Bay, and the San Pablo and Wild Cat creeks flowing westerly into the straits of that name.

Soil.—The soil of this township differs in different locations, the portion along its western border being a sandy loam and easily worked; in the small valleys it is most prolific and requires much less rain than in many other portions of the county.

Products.—The products of this township are diversified, comprising fruit, vegetables, cereals, berries and grapes. The soil is so varied in its nature that it is capable of producing almost all varieties of things that grow out of the ground to very good advantage indeed. Its orchards are a marvel to behold and its vineyards are a wonder. Its miles of grain fields teem with abundance, while its gardens show a rich return of vegetables and rare flowers.

Timber.—Of this commodity there is not much to boast in Township Number One. The ordinary oaks grow to their usual size and add much to the beauty of the scene, especially in the vicinity of Martinez.

Climate.—There is no healthier climate in the State. The portions of the township bordering on the bays are subject to the influences of the strong Summer winds that sweep through the Golden Gate and over the San Francisco hills, but are free from its fogs; while inland, the cooling influences of these breezes are felt, and add much to the healthfulness of the district.

Early Settlement.—The first settlement in Township Number One was made about sixty years ago. In 1823 Francisco Castro and Ignacio Martinez made application for and received grants of land each, the first mentioned obtaining the San Pablo tract and the latter that known as Pinole. Each of them built an adobe residence, erected corrals for their stock, and planted the first fruit trees and vines in the township. Their nearest neighbors at this time were the Peraltas and Castros of San Antonio and San Lorenzo. Up to this period the two Ranchos just named were very different from what they are to-day. At that time these broad acres were one vast field of waving corn, in the months of March and April looking like and emerald sea, dotted with islands, as it were, formed from the clumps of oaks, among the many perishable land marks which still remain, and limited on one hand by the noble bays and inlets, on the other by a bold outline of hills clothed with luxuriant verdure. Roads there were none, save the divergent trails which twisted through the growth of wild oats, that reached, on every side, as high as the head of the passing equestrian. Fences there were none, therefore the prospect was unbroken, save by those objects already noted. The low-lying land teemed with game of every kind, both four-footed and feathered, that had scarcely known the meaning of death save by natural means; the creeks were stocked with finny gambolers, whose numbers had been lessened by none, except the aboriginal, while the cañons and mountain sides gave shelter to the puma and the grizzly bear. Around, the vista was variegated with flowers of the richest perfumes, lending a pleasing sensation of sweet repose; the slightest sounds were heard in the vast solitude, and each in concert—the hard, grating noise of the cicada, the hum of bees, the chirping of gorgeously plumed songsters—all the signs of animation made the solitude still more profound and oppressive, until it became a relief to watch for the obstruction of the path by an infuriated beeve, or gaze in expectation for the rapid stampede of a drove of elk or deer.

With these two families to take the lead others followed as a matter of course, not so much to labor in their own interests and toil for their more fortunate fellows, but that they loved the *dolce far niente* mode of living to be found on the *haciendas* of the rich. A certain amount of state was maintained by the rancheros of those days, which they had inherited from the splendor-loving cavaliers of old Spain; they seldom moved abroad; but, when they did, it was upon a handsomely caparisoned horse, with attendant

outriders, armed, to protect their lord from wild animals. The earlier locators of land brought with them herds of cattle, which, in the natural sequence of things, became roving bands of untamed animals that provided the Spanish master and his servitors with meat; while enough grain was not so much cultivated as grown, to keep them in food, as it were, from day to day. Their mode of traveling was entirely on horseback; hostelries there were none; when halting for the night, an umbrageous oak was their roof; the fertile valleys their stable and pasture; while, were food required, to slay an ox or a deer was the matter of a few moments.

The home life of the ranchero was one of superlative indolence, indeed, so was that of his satellites. Let us for a moment glance at them. In the front of the house is a court-yard of considerable extent, with the front sheltered by a piazza. Here, when the vaqueros have nothing to call them to the field, they pass the day looking like retainers of a rude court; a dozen wild, vicious-looking horses, with wooden saddles on their backs, stand ever ready for work; while, lounging about, the vaqueros smoke, play the guitar or cards, else twist a new riata of hide or horse-hair. When the sun gets lower they go to sleep in the shade, and the little horses that remain in the sunshine do the same apparently, for they shut their eyes and never stir. Presently, a vaquero, judging the time by the sun, gets up and yawns, staggering lazily towards his horse, gathers up his riata, and twists it around the horn of his saddle—the others awakening, rise and do the same, all yawning, with eyes half open, looking as lazy a set as ever were seen, as indeed they are when on foot. "Hupa! Anda!" and away they go in a cloud of dust, splashing through the creek, waving their lassos around their heads with a wild shout, and disappearing from sight almost as soon as mounted. The vaquero wants at all times to ride furiously, and the little horses eyes are opened wide enough before they receive the second dig of their riders' iron spurs.

The derivative of the first of the two Ranchos mentioned above is apparent. It is derived from Saint Paul (San Pablo), who was one of the most enthusiastic, as he was one of the favorite disciples of the Saviour. The other takes its name from Pinole (meal), it being related that here some hungry Mexican soldiers who had been in pursuit of a band of predatory Indians in the vicinity of Mount Diablo, had their hunger appeased at a small village of friendly natives when on their way to the mission of San Rafael. After passing through the valley of El Hambre (the Vale of Hunger) their first food was a mess of meal obtained on the shore of the San Pablo straits, which they named Pinole, and when Ignacio Martinez received the grant, he perpetuated the name given by the famished soldiers.

In the year 1832 a Scotchman named William Welch obtained the tract of land known afterwards as the Welch Rancho, on a portion of which the town of Martinez is built, but he fixed his abode in Township Number Two, and has been dealt with in that portion of our work.

The next we hear of the township now under consideration is from the diary of that distinguished pioneer, the late General John A. Sutter. After stating that it took him eight days before he found the mouth of the Sacramento river, he describes his arrival at the point where he subsequently constructed his famous fort, and entered in his journal: "Before I came up here I purchased Cattle and Horses on the Rancho of Señor Martinez, and had great difficulties and trouble to get them up, and received them at last on the 22nd of October, 1839. Not less than eight men wanted to be in the party, as they was afraid of the Indians, and had good reason to be so."

From the period last mentioned up until the date of the discovery of gold, but few if any foreign settlers came to Township Number One to reside. In 1848, however, Doctor Samuel J. Tennent arrived from the Sandwich Islands, whither he intended returning, but on his travels arrived at the Pinole Rancho, married a daughter of Don Ignacio Martinez, and has since resided there. A portrait of this gentleman will be recognized in our pages as he was before years had told on him; he is still, however, hale and hearty, with every chance of surviving many younger men.

"Colonel William M. Smith, as agent of the family of Ignacio Martinez," says Judge Thomas A. Brown, "caused to be surveyed and located the town of Martinez, on the west side of the Arroyo del Hambre, and sold quite a number of lots to persons residing in San Francisco and elsewhere. A few months afterwards the family of the deceased William Welch caused to be surveyed into town lots a few hundred acres of land on the east side of the same stream as an addition to the town of Martinez.

"During the Summer of 1849, and prior to the organization of the State Government, quite a number of persons who had purchased lots in Martinez built houses thereon; a few of the buildings first constructed are still to be seen, one an old building in the inclosure of Mrs. Bent, which is now used as a hay-barn, was the first house built." We have since learned from Judge Brown that the present residence of Dr. Leffler was the first actual building to be erected in Martinez—but of this subject fuller information will be given further on.

In the year 1849, there were residing in the township, Thomas A., and Warren Brown, Napoleon B. Smith, Colonel William M. Smith, Nicholas Hunsaker, J. C. Boorhaus, Thomas S. Dana, Howard Havens, N. Jones. while, in the following year, there were resident, as is gleaned from the list of voters at the first election (1850), Juan D. Silvas, F. M. Warmcastle, Albert G. Robb, Thomas Allen, W. H. Popple, J. F. Williams, Martine Berryessa, Absolom Peak, Leonard Eddy, John A. Piercall, Daniel Hunsaker, Nathaniel Jones, Angel Soto, Josiah Gorham, John Carnes, William Hendricks, Jas. F. Quin, José Galindo, Charles J. McIlvaine, Ira B. Stebbings, P. S. Brownell, Elijah Darling, R. S. Thomas, William T. Hendricks, H. A. Overbeck, A. F. C. Debast, Napoleon Degalon, James C. Hunsaker, Joseph Swanson,

A. V. H. Ellis, Vicente Martinez, José de J. Martinez, Theodore Kohler, Lyman H. Hastings, Joseph Rothenhausler, William K. Leavitt, B. R. Holliday, H. M. Holliday, William Allen, Francisco Berryessa, Dr. George Lawrence, John H. Livingston, Josiah Sturges. Most of the residents of this period were migratory, the allurements of the mines preventing anything like permanency of habitation; the settlers were few, yet progress of a material nature commenced.

In the Fall of the year 1852, that respected citizen, M. R. Barber, purchased his present beautiful location about two miles from Martinez, then consisting of land across which had never been drawn a furrow, and here he has since resided, having from absolute sterility produced one of the most beautiful places in the county. He had, however, been a resident of the county before this, for he had, prior to 1851, toiled in the redwoods near San Antonio, and afterwards came to Martinez and assisted in building several of the first houses erected in that town. It is a fact, too, that should not be forgotten, that the tickets for the first election for County officers in Contra Costa, were in the hand-writing of Mr. Barber. In July of the same year, Antonio Perry Silva settled in San Pablo on the place where he now resides, he having subsequently acquired it by purchase in 1857.

Among the residents who arrived in 1853, we have that well-known pioneer, E. W. Hiller. In December of that year Mr. Hiller located at San Pablo, but in the following year moved to Martinez, where he has since resided. Hiram P. Hardy, too, came in this year, and first found employment with Dr. Strentzel; he has now a beautiful home near Martinez, the reward of long years of industry. In the month of August, 1854, there settled at Pinole, Bernardo Fernandez. After many ups and downs, he here started a local trade, which has sprung into great proportions; he owns vast warehouses, a wharf twenty-three hundred feet in length, a large and well-stocked store, and several sailing craft, plying between San Francisco and the inner waters of the State. In November of the same year Martin Woolbart arrived in Martinez, having come to California with Mr. Fish of that town and Mr. Majors of Ygnacio valley, two of Contra Costa's most prominent citizens. Mr. Woolbart settled on his present place in 1863. In the Fall of 1854, the late F. H. C. Dohrmann came to the township, and for two years conducted the San Pablo Hotel. In 1856 he moved to the property where his widow now resides, Mr. Dohrmann having died October 24, 1873. In this year, too, the ever-to-be-remembered Colonel W. W. Gift, after holding high office in the State, purchased property near Martinez, and entered upon a farmer's life. Here he embarked into the breeding of blood horses, his love for that stock almost amounting to a passion. The elegant mansion he erected was consumed by fire July 18, 1867. The Colonel died in Martinez at the residence of his son, W. A. J. Gift, April 17, 1881.

Richard R. Veale

Simon Blum, in 1854, settled in Martinez, having purchased the business of Captain Fogg. Here Mr. Blum has amassed wealth and resided ever since.

On February 15, 1855, Barnes Holloway purchased and located on the place where he now dwells, about seven miles from Martinez. Mr. Holloway, however, is a "forty-niner." In 1850 he settled at Mountain View, Santa Clara county, and in partnership with others, among whom was Cornelius Yager, once County Clerk of, and member of Assembly from Contra Costa, rented land from Mariano Castro. After serving in the sessions of 1854–55 as Senator from the Twelfth Senatorial District, Colonel W. B. May settled on the place where he now resides, in 1855. He informs us that when he arrived in the Fall, Dr. Goodale lived on the land now owned by the widow of Mr. Stowell, and Henry Benson resided at the mouth of the San Pablo creek; Weatherby & Poole had a store in the village of San Pablo; John Wilcox was there at the time, and Peck & Dohrmann kept the San Pablo Hotel, which was an adobe house, and stood next to where the Union saloon now stands. John Galvin lived where his widow now resides, and John Davis at his present place. At what is called "Point Conch-shell" there resided the McKee family, who were the only residents between San Pablo and Pinole. According to the best of the Colonel's recollection, his place was originally occupied by a man named Knowles and his partner. On the place now occupied by Mr. Thode there was a house belonging to Captain James Gill, while that gentleman dwelt between what is known as the O'Connell place and the Bay. Two brothers, John and Robert Kennedy, also resided in the vicinity. On San Pablo creek a man named Clark had a dairy ranch; it is now occupied by Mr. Quin. Where Messrs. Abrott, Weyhe and O'Neil now live was occupied by two Americans named Timothy Ingles and —— Isham; and still above, the brothers Major and William Dowling had their habitation. Still farther up the creek was Ira Grover, who owned a large tract of land. On the old Telegraph Road from Oakland was what is now called the Houston Ranch. Walter Mills was then farming (1855) near where the railroad depot at San Pablo stands, while Captain Black owned the landing where the Terrills now are, and ran a sloop to that point. The "Red House" was where it still is, and in 1855 was kept by Mrs. Lewis; it afterwards became a stage station, while it has since maintained its name. There were but a few houses between San Pablo and Ocean View (Berkeley), and thence to Oakland.

In 1855 William Hoffman settled on his place in the suburbs of Martinez, and has transferred it from its native wildness into a veritable paradise. In this year Dr. E. F. Hough commenced practice in Martinez, having disposed of his place in Ygnacio valley. A notice of the paint discoveries made by the Doctor will be found elsewhere. In the same year W. A. J. Gift joined his father, and has since resided in the township.

In the Fall of 1856 we have settling on the place he now occupies James McHarry, who came from San Mateo county; while in the month of October of the same year Azro Rumrill located on a parcel of land about a fourth of a mile from his present residence. Mr. Rumrill is one of the Justices of the Peace for Township Number One. In May, 1857, Michael Kearny located near the dividing line between Contra Costa and Alameda counties; he afterwards moved to the farm now occupied by Mr. Jones, and finally, in 1865, purchased his present property. During the Fall of the same year John Nicholl located on his present ranch near San Pablo, while in the month of October, L. C. Wittenmyer took up his domicile in Martinez, and has resided there ever since. In 1858, in the month of October, Joseph Boyd purchased the property on which he now resides. In 1859, Henry Blume settled near Pinole, where he dwelt until 1862, when he moved to his present place; in the Fall of the same year William Krieger also located; while Samuel W. Johnson, who had passed through the site of the town of Martinez in 1846, came from the San Joaquin valley and permanently located in Martinez. In 1860, Daniel Clancy purchased and took up his residence on the farm he now occupies.

Of course, there have been many more settlers than those mentioned above, but we have failed to learn their names; we trust, however, that what has preceded and what follows will be of interest to the reader.

MARTINEZ.—Lying snugly nestled at the foot of a gentle vale, and close by the sleeping waters of the Carquinez Straits, is the town of Martinez, the county seat of Contra Costa county. It is one of the most delightful towns of California's inland valleys—perhaps the most delightful of all—and is situated on the south shore of the Straits of Carquinez, nearly opposite the now thriving town of Benicia, and about thirty-seven miles from San Francisco.

The mountain range through which the Straits of Carquinez have found their way, just below Benicia, so effectively breaks the force of the cold sea breezes, as to produce a marked modification of the temperature on the two sides of the water at that point—the straits affording a free passage up to Benicia, which makes it a windy place, while the mountains form an effectual barrier against the approach to the valley in which Martinez is located, and also to the entire chains of valleys with which it is connected, their sheltered condition thus rendering the surrounding slopes most admirable locations for vineyards, orchards and residences.

The town has changed a little since its more pretentious rival "over the way" boasted of it as its suburb. Since that time Martinez has improved, and, although in the heart of a strictly rural district, and compelled to rely wholly on its own resources for its prosperity, it gives evidence of more than ordinary vitality with a bright future before it.

Before the "days of gold" were, Benicia was. In 1846, Doctor Robert Semple founded the town, the first house being built by William I. Tustin, the second having been erected by the Doctor himself. The name of Doctor Semple is so interwoven with the early history of this portion of California, that we may be pardoned introducing him to the reader. He was one of the remarkable men of his day and generation. When standing erect he was about seven feet in height, and being rather spare in figure, did not impress one as being well-proportioned. His hands and feet were large, as well as his mouth, which was seldom untenanted by a chew of his favorite tobacco. He was so long-limbed that when astride of a mustang or mule, his feet nearly reached to the ground (within six inches), rendering it necessary for him to attach his spurs to the calves of his boots, instead of to his heels. From having to stoop so much when entering or leaving doors of ordinary dimensions, his form was somewhat bent, and it seemed necessary for him not to stand upright, in order the more conveniently to carry on a conversation with his fellow-men. In temperament he was sanguine and impulsive, in disposition kind and considerate, but quite determined to have his own way, in judgment rather erratic, and disinclined to accept the counsel or advice of others, feeling convinced that he knew better than they.

It is related of him that early in 1848, business called him to Monterey; he therefore crossed the Straits with his horse on the open scow ferry-boat, which he had established, and left directions with the ferryman to be on the look-out for his return. After wending his way through the valleys of San Ramon, Santa Clara and Salinas to his destination, in the course of two or three weeks he was back again to where Martinez now stands, but the boat was on the Benicia side, and all the signals he could make failed to induce Captain Davis to venture out against the strong head wind that was blowing, and the Doctor had to sleep on the ground in his blankets. This state of things continued for two days, and on the third the patience and endurance of the Doctor having been tried to the utmost, he considered that something must be done to enable him to reach home. He could not swim, and even if he could, a swim of two or three miles was a hazardous undertaking, so he finally managed to secure two or three pieces of scantling and a plank, with which, by the aid of his riata, he improvised a raft, on which, with a fair wind and tide, he set out astride, pushing himself along as best he could. An hour or two later he was discovered by some of his friends on shore, who did not know what to make of the strange-looking object arrayed in a bright-colored *serapa*, and holding aloft a signal violently waving. A boat was immediately manned and sent to his relief, and great was the surprise and joy of the men when they found they had rescued the foremost man of the village. His objurgations on account of the apparent neglect to which he had been subjected were rather more emphatic and

vehement than classic or polite, but good humor was soon restored, congratulations extended, jokes cracked, and the Doctor's health drank in something stronger than *water*—in fact, the Doctor had had *water* enough in crossing.

A year or two later the Doctor had his scow ferry-boat worked by horse-power, he having come into possession of two such machines, while on the establishment of the steam-ferry, he was heard to apostrophise steam, and sing in praise of Fulton, who had first succeeded in harnessing it to such use.

In the year 1849, Colonel William M. Smith, as agent for the Martinez family, from whom the place derives its name, determined to build a town, hoping to rival its opposite neighbor in importance. To this end he employed Thomas A. Brown, now the honored Superior Judge of the county, to survey and lay out one hundred and twenty acres on the west side of El Hambre creek. The blocks and lots, having been divided, they were quickly sold, the building of houses commenced, the first being that now occupied by Doctor Leffler and erected by Nicholas Hunsaker, and the second by Thomas A. Brown, built for mercantile purposes, where the Judge with his brother Warren, and Napoleon B. Smith, opened the first trading-post in the county. This structure was afterwards sold to the Roman Catholic Church, who used it for some time; it is a barn on the homestead tract of Mrs. Bent. The house where E. W. Hiller now lives was built by Messrs. Boorham & Dana as a store, also in 1849, while, about the same time, a building, still standing near Bray's Lumber Yard, was put up by Howard & Wells as a mercantile establishment, and managed by Howard Havens, the present cashier of Kelly & Donohue's Bank, of San Francisco.

In the year 1850–51, an addition to the town was surveyed by Mr. Brown, under instruction from the proprietor of the Welch Rancho. This tract consisted of from five to six hundred acres, and was also laid out in blocks and lots. It will thus be seen that provision was early made for the growth of a large city. The first houses to be built on this portion of Martinez, and which were erected all about the same time, were those now occupied by Mr. Wise, Mr. Douglas, Mr. Lawless, Mr. McMahon, Dr. Bolton, and the printing office of the *Contra Costa News*. The house of Mr. Douglas was used as the first office of the County Clerk. The house now owned by Mr. Lawless was built by Nathaniel Jones in the fall of 1850; but he had, prior to this, occupied the little cottage next the Berryessa adobe (built in 1849), which he put up in the Fall of the previous year.

In the month of October, 1849, the Bradley House was completed, and early in 1850, a negro named Jones, opened a hotel where Josiah Sturges now conducts the Alhambra Hotel.

At this period the nearest house to the town site was the adobe residence of Vicente Martinez, which stood on the property of Dr. Strentzel,

and commonly known as the Redfern place. Antonio Soto had an adobe house near the Alhambra school-house, which was the next nearest, while the Widow Welch's homestead was the next. In 1851, Theodora Soto built the place known as the Hickman adobe, and these formed the nearest residences to the town of Martinez in the first year of its infancy.

We have said above that the building originally built by Judge Brown as a store, and now Mrs. Bent's barn, was occupied for some time by the Roman Catholic priests as a place of worship. Between the years 1851 and 1855, they commenced an adobe church and laid the foundation, where Bartolo's vegetable garden now is, immediately below the Railroad tank; this project they abandoned, however, in the last mentioned year, and erected a building on the northeast corner of Dr. Carothers' lot, which, being laid low by a gale in 1866, they erected their present neat edifice.

In 1851, a school was opened in the house now occupied by Judge Brown, which was, besides, then used as a Meeting House on Sunday, a Court House during the session, and a Masonic Lodge, up stairs. The first teacher was R. B. McNair; the second, Hiram Mills. It is questionable, however, if this was the first school taught in the town, for it is asserted by many old residents that to B. R. Holliday belongs that honor.

In 1852 the Union Hotel was built where the residence of James Hoey now stands, and was owned by H. M. Smith; it being subsequently conducted by Capt. R. E. Borden, the County Treasurer.

Before pursuing the history of the town we will first follow the efforts made to have it incorporated. On January 25, 1851, a petition of its citizens was presented to the Court of Sessions, through J. F. Williams, District Attorney, praying for the incorporation of Martinez, as follows:

"*To the Hon. F. M. Warmcastle, County Judge*:—Your petitioners, citizens of Martinez, pray your Honor to incorporate the following metes and bounds, to be known as the Town of Martinez, and to establish therein a police for their local government and regulation of any commons appertaining to such town, to wit: Commencing at a point opposite the old ferry house in the Straits of Carquinez, one-fourth of a mile from high-water mark; thence up the Straits of Carquinez in a straight line one mile to a point one-fourth of a mile from high-water mark; thence running in a southeasterly direction at right angles with the first line, one mile; thence running in a northwesterly direction at right angles with the last line, one mile; thence in a northeasterly direction at right angles with the last line, to the place of beginning, so as to include one mile square."

It was thereupon directed by the Court that the Town of Martinez be duly incorporated, and the order issued that an election be held for town Trustees, February 8, 1851. B. R. Holliday, Charles Pervine, and J. C. Burrows, being appointed Judges.

About February, 1876, the attention of the inhabitants of Martinez was called once more to the subject. By the Act, the town limits were defined as follows: "Beginning at a point where the fence dividing the lands of J. P. Jones and L. I. Fish touch the Straits of Carquinez; thence southwardly along said fence, and continuing the same course to the line of the homestead tract of H. Bush; thence westwardly along the north line of Bush's homestead tract to the Arroyo del Hambre; thence southerly along said *arroyo* to the center of G street; thence westwardly along G street to the western boundary of the town of Martinez as officially surveyed; thence northwardly, following the western boundary of the town plat to the Straits of Carquinez; thence eastwardly along the shore of the Straits of Carquinez to the place of beginning." The corporate powers and duties of the town were vested in a Board of Trustees of three members, to be elected on the first Monday in May of each year.

Thus had Martinez existed as a village for something more than a quarter of a century, without corporate being or authority, except for a very brief period, in 1851, when they were extinguished by a decision of the Supreme Court, declaring the Act void under which they were assumed. One or two efforts for some sort of an incorporation of the town had been made, truly, but they resulted in nothing. It might have been incorporated at any time, under the general law, but this was objected to as involving too much machinery and expense. To establish a town corporation of limited powers, the bill now under notice was prepared, and for the time being, at any rate, was thought to meet all requirements. On May 23, 1876, Thomas McMahon and L. C. Wittenmyer were elected Town Trustees, and J. R. L. Smith, Assessor and Collector, but after this date we have been unable to glean anything of the corporation or its civic dignitaries.

After the year 1852 the town commenced to assert itself and has so continued, it will therefore be unnecessary to follow step by the step the progress made. We have, in our chapter on the Legislative History of the county shown the progress of its public buildings, and noticed the establishment of the first newspaper in the county, at Martinez, on September 18, 1858, a red-letter day in the annals of the town. On October 30th the *Contra Costa Gazette* passed into the hands of Charles Bonnard and B. E. Hillsman, who continued it until February 14, 1859, when W. Bradford assumed charge, who had associated with him R. R. Bunker, the latter gentleman, March 23, 1861, being joined by W. W. Theobald, on the secession of Mr. Bradford. On September 14th it issued its last number in Martinez, and brought out that of the 21st at Pacheco, the cause of removal being asserted to be the more central position of the latter place. On July 1, 1865, Mr. Theobald disposed of his interest to R. R. Bunker and C. B. Porter. On April 15, 1869, the *Gazette* was made the official organ of the county, and on November 15, 1873, the last issue of the paper occurred at Pacheco,

whence it returned to its native Martinez, where it now flourishes, the proprietors being Messrs. Bunker, Porter and Foster. A more extended history of the publication will be found under the head of "Newspapers," at the end of this chapter.

It would appear that in the month of November, 1858, Martinez was actually without public instruction, for we find a notice of the engagement of a teacher, with the remark: "A good school ought to be kept in operation in Martinez during the whole year, and a stranger would hardly believe that such is not the case." On December 4th, Mr. Bushnell was appointed Principal and the tuition of the young afterwards flourished.

On November 6, 1858, W. K. Leavitt was awarded the contract for building the Roman Catholic Church, already mentioned, the structure to be of frame twenty-eight feet wide, by fifty-two long, and nineteen feet high. April 8, 1859, Martinez and Benicia were first joined by telegraph; June 6th, a stage line between Oakland and Martinez, passing through Rodeo valley, Pinole and San Pablo, was established by Mette & Co.

The jail of Martinez has many a tale to tell, but perhaps none more curious than the following: Two prisoners, Isaac Greenaugh and C. Cadell made their escape on July 20, 1860, leaving the accompanying polite note for Deputy Sheriff Henry Hunsaker, thus worded: "Henry: you must not think hard; our friends came after us with a good horse and we could not Resist the temptation." The two worthies were incarcerated, the first for stabbing a man at Alamo, and the other for stealing a suit of clothes at Pacheco.

On September 17, 1860, Martinez Engine Company, No. 1, was organized, and the following officers chosen: Foreman, L. C. Wittenmyer; First Assistant, J. L. Swaney; Second Assistant, D. W. Swain; Treasurer, W. K. Leavitt; Secretary, J. T. Alsop.

At the trial of Ramon Ruiz, indicted for murder, which came up at the January Term, 1861, of the District Court, this case was submitted to the the jury at four o'clock on the afternoon of Wednesday, January 16th, and they immediately retired for deliberation. They found it a difficult matter, however, to arrive at the requisite unanimity in regard to what the verdict should be, and daylight on Thursday morning found them still in a state of disagreement. At this time one of their number wearied, probably with the night's labor in the jury room, and hungry from long fasting, and, moreover, not having the fear before him of the pains and penalties in such cases made and provided, quietly slipped out of the window and made quick time to a hotel, and after procuring some refreshment, coolly went to bed. His absence was soon discovered, and an invitation he did not feel at liberty to decline compelled him to leave his comfortable quarters and return to his post of duty. Failing to agree the jury were discharged on Thursday at noon; not so, however, the juror aforesaid: He was imprisoned for three

days and fined two hundred dollars. On September 17th, of this year, an attempt was made to burn the Morgan House, but the combustible material was found in time to prevent a conflagration or do any damage.

On February 15, 1862, the ladies of Martinez raised a subscription to the amount of four hundred dollars to fence the cemetery, which was much needed, and which has added much to the beauty of the very beautiful piece of land overlooking the prettily situated town of Martinez.

It no doubt will be remembered by some that on January 16, 1864, thirty-seven camels passed through the town, on their way to Los Angeles. These were the only animals of the kind ever seen by many of the residents and the circumstance was looked upon as a "nine days' wonder." On the 20th June, of this year, a presentation of a silver goblet was made by the children attending the Martinez Sunday school, to Captain O. C. Coffin, on his retirement from the management of the institution, which he had maintained for four years. On the gift was engraved the name of the receiver, by whom presented, with the date of presentation, and the following simple tribute, "a token of love."

Sometime in the month of May, 1867, Messrs. Coffin & Standish erected a flour mill in Martinez, which was completed on the 11th of that month. It is described as an excellent building, forty by one hundred feet and stood near the line of the railroad—the same is now used as Black's Cannery.

Martinez, unhappily, has not been without periodical visits from the Fire Fiend. July 18, 1867, the mansion on the "Gift Place" was consumed, but since September, 1856, when the Union Hotel, Blum's, Lazar's, and Hook's stores were destroyed, no fire of importance had hurt the town. On Tuesday, December 12, 1876, a group of fine buildings on the southwest corner of Main and Ferry streets, opposite the Morgan House, belonging to H. M. Hollenbeck, together with a sixth building belonging to John McCann were destroyed, which, however, he repaired, and by the 30th December, occupied. On March 16, 1877, the residence of Mrs. Jane E. Chase became a prey to the devouring element, while, on January 6, 1878, the Granger's restaurant, owned by F. D. Briare, was destroyed; and on March 8, 1880, the Alhambra school-house succumbed to the like fate.

The earthquake of Wednesday, October 21, 1868, caused considerable damage in Martinez. Two of the walls of a new stone building at the Alhambra Hotel were thrown down; Blum's, Lazar's, Colman's and the Fish Brothers' brick buildings were also much cracked by the shake. The most serious damage, however, was that sustained by the Court House, a portion of the top and rear walls of which were thrown down, and the structure otherwise much damaged.

On September 5, 1871, the certificate of incorporation of the Martinez Water Works Company was filed, the capital stock being one hundred thousand dollars in shares of one hundred dollars each. The officers for the

first three months were, Simon Blum, L. C. Wettenmyer, V. B. Russell, Charles Sherman, and Gabriel Blum.

During the month of October, 1872, the large, heavy-framed stable that stood for many years on the corner of Judge Brown's lot, east of his office, in Martinez, was moved to the outskirts of the town, under the supervision of George Sanford and Charles Woodford.

On Wednesday, January 15, 1873, George W. Bailey suddenly disappeared in San Francisco. Mr. Bailey had been a resident of Contra Costa county for about eight years, and for the last six or seven had resided in Martinez, where he married and practiced law, a portion of the time in association with Judge Brown, and for a year or more with L. B. Mizner of Benicia. The *Gazette*, of January 25th, thus accounts for the mystery: "It seems, however, to be generally believed by those best informed respecting his circumstances and obligations, that embarrassments arising from an inability to meet an engagement for the investment of some trust funds, in his hands as receiver, has occasioned his disappearance. The money he held in trust is the rental revenue of property the title to which is now in litigation, and, except what has already been invested or properly accounted for, the amount, as we are informed, does not exceed four or five thousand dollars. An opportunity for investing the larger portion of this amount in a loan to Messrs. Mizner and Shirley had offered, and being satisfactory to the respective claimants in the pending litigation, arrangements were made for their receiving the money, represented to be on deposit there, in San Francisco, on Tuesday of last week (the 14th). On Monday evening, Mr. Bailey, accompanied by his wife and one of his two little children, went to San Francisco by the Sacramento boat, and on arriving there put up at the Lick House. On the following day, when the money was to have been furnished, he gave some not entirely satisfactory reason for deferring the payment until the following day, since the morning of which he has not been seen nor heard from. Subsequent inquiry disclosed the fact that no money had ever been on deposit at the bank he had named, nor elsewhere, so far as could be ascertained, nor is it surmised that any was secreted and carried away by him. It is probable that the money has, little by little, been applied to personal uses, during the four years, or more, of his receivership, with the intention of restoring it, and his embarrassment on being required to produce it, without the ability to do so, is probably the cause of his sudden and otherwise unexplained disappearance." The above surmise was, indeed, too true. He took his own life while in a state of temporary insanity, his body being found, on January 25th, in a rocky secluded place a few miles south of San Francisco. On April 11, 1873, Rev. V. R. Rightmeyer, formerly stationed for many years administering to the wants of the Methodist Episcopal Church at Martinez and Clayton, died at Virginia City, Nevada, he being interred at Martinez. In this year the Bank of Martinez,

a history of which will be found elsewhere, was started; while the *Gazette*, of August 23d, notices the fact that at that date there were no less than four persons confined in the jail at Martinez on charges of murder, viz: Marshall Martin, for the murder of Valentine Eisehler; William Nash, *alias* Osterhaus, and Mary Gersbach, for the murder of Martin Gersbach; and Henry Ploeger, for the murder of George Muth. Timothy Roonan was there also, awaiting trial, under indictment of assault to murder. Towards the end of the year 1873, there was a demand for dwelling houses in Martinez, and none to be had. It was then thought—indeed, it may be so said to-day—were there such erected on unoccupied lots, instead of letting them lie idle and unproductive, several families would be added to the population of the village.

During the week ending April 4, 1874, an old white oak, that since there was a town of Martinez, had stood in the middle of the street nearly opposite the store now occupied by Robert T. Nash, throwing its grateful summer sun-shield over the roadway on either side, fell under the woodman's ax—the result of a too utilitarian hand. The streets were then, as now, in a wretched condition, and were the subject of much complaint; perhaps the felling of the old land-mark was intended by "the powers" as a "sop to Cerberus." August 8th, of this year, the old "Louisiana House" was opened by C. S. Downey as the Exchange Hotel, while, on September 12th, the Alhambra Grange of the Patrons of Husbandry was instituted with the following officers: Dr. John Strentzel, Master; Wm. Fraser, Secretary; Henry Raap, Overseer; B. R. Holliday, Lecturer; James McHarry, Chaplain; James C. McHarry, Treasurer; Elam Barber, Steward; Lawrence Smith, Assistant Steward; James Stewart, Gate-keeper; Mrs. Alexander Boss, Ceres; Mrs. Henry Raap, Pomona; Miss Louisa W. Strentzel, Flora.

November 13, 1875, the new bridge over the Alhambra creek was completed and opened to traffic. In the month of March, 1876, the Alhambra Hotel buildings which had been in service for twenty-five years, with improvements, were considerably enlarged by the addition of a central two-story structure between the east and west wings, and a new kitchen connected with the detached stone building, which became a dining hall. On July 22, 1876, the Morgan House passed into the hands of William Girvan, G. A. Sherman retiring from its management. August 12th, of this year, an addition of one hundred feet was made to the ferry wharf; while, September 29th, the *St. Charles*, having completed her loading at the Grangers' Warehouse, sailed from Martinez, being the first large vessel to take in cargo there. At the end of December, we learn that Mr. Lawless had erected a building for housing the indigent sick of the county on the bank of the Alhambra creek, two blocks south of the Masonic Hall. It was one story in height, twenty feet wide, sixty feet long, and divided into three apartments, viz: kitchen, sitting-room and large bedroom of the full width and

Patrick Forney

about half the length of the building. Since the completion of the new county infirmary, the occupation of this building has been discontinued.

The Martinez Hook and Ladder Company, No. 1, was organized and the following officers elected February 4, 1871: R. R. Bunker, President; Frank Maguire, Foreman; Ed. Morgan, First Assistant; M. J. Beecher, Second Assistant; C. Ed. Miller, Secretary; M. Lawless, Treasurer.

Early in 1879 the Bush Homestead property was purchased for the purposes of a Roman Catholic College, to be erected by the "Christian Brothers" Society of Saint Mary's College, San Francisco, on which they have since erected a handsome building and made many improvements.

On March 11, 1879, Blum's store was robbed of five hundred dollars in coin and fourteen hundred dollars in county scrip. It was a carefully effected plunder, the safe being found face downwards, and a hole through the outer and inner sheet-iron casing and concrete-filled back. It is supposed that one of the burglars met his death at the hands of his accomplices near Cornwall station, not far from Antioch.

About the beginning of the year 1880 it was proposed to establish a manufactory of Hardy's blasting powder near the southern end of what has been known as the "race track," about a mile from the Court House in Martinez. In opposition to this scheme a meeting of citizens was convened at the Court House, January 21, 1880, when, after lengthy discussion, the following resolution was adopted: "*Resolved*, We the undersigned citizens of Martinez, Contra Costa county, do hereby protest and object to the erection or establishment of a powder mill or powder manufactory for the manufacture of powder for explosive purposes within a radius of four miles outside of the limits of the town of Martinez."

In concluding our remarks on the town of Martinez, we would observe that its population by the last census, July 10, 1880, was eight hundred and seventy-five. There is every prospect of this increasing. A considerable fishery and canning industry has been lately established there. All that is requisite for its general advancement is encouragement from the owners of property; when such is given, then will manufactories be enticed to locate, and with these will come trade and plenty. The climate is all that can be desired, neither too hot nor too cold, the hills which environ the town protecting it from the blustering winds which are so rudely felt on the opposite shore of the Straits of Carquinez. From among their bosoms flow limpid, gurgling streams, whose waters find their way into every family. All in all, Martinez is a lovely locality, almost compassing the poet's fancy of—

> "Cataract brooks to the ocean run,
> Fairily-delicate palaces shine
> Mixt with myrtle and clad with vine,
> And over stream'd and silver-streak'd
> With many a rivulet high against the sun,
> The facet of the glorious mountain flash
> Above the valleys of palm and pine."

CHURCHES.—Martinez boasts at present three places of worship for the Episcopals, Congregational and Roman Catholic denominations, all of them neat buildings with comparatively large congregations, considering the size of the place. The first to establish a church in Martinez were the Romanists, of which we append a few remarks, there being no actual history of the edifice extant:—

ROMAN CATHOLIC CHURCH.—The first services of this body were held in a building built in 1849 by Judge Brown, Warren Brown and N. B. Smith as a store, and is now used as a barn by Mrs. Bent. Here they worshipped for some time, and afterwards laid the foundation for a more pretentious edifice to be constructed of adobe near the railroad tank, but which was never completed. In 1855, or thereabouts, a church was erected on the northeast corner of the lot now occupied by the residence of Dr. Carothers, but on this being blown down in or about 1866, the present building was put up.

GRACE CHURCH, MARTINEZ, (PROTESTANT EPISCOPAL).—The history of the Protestant Episcopal Church in Martinez is inseparably connected with that of Benicia, whither as early as 1854, and for years after, members of the church were wont to cross the Straits of Carquinez and proceed. The first clergyman of the church known to have officiated in Benicia was the Rev. D. J. Moore, although services had been held there by Major Townsend, U. S. A., as far back as September 24, 1854. The second clergyman was Rev. Orange Clarke, who came to California as Chaplain to the U. S. Marine Hospital, who, although unconnected with any parish as Rector, rendered his services at different points, as needed. This is the first clergyman of the church known to have held services in Martinez, and was during the Winter 1854–5. The next occasional officiating clergyman was Rev. Elijah W. Hager, Chaplain U. S. N. To the gentleman who first had charge of St. Paul's Church, Benicia, as Rector (1858), the church in Martinez is also indebted, but to none does it owe more of its early growth than to the Rev. James Cameron, who had charge of St. Paul's parish from 1860 to 1866. He officiated in the Methodist Church in Martinez very frequently, and during his incumbency Mr. J. Williams, of Martinez, who had been Junior Warden and Vestryman of St. Paul's, and Mr. Samuel Gray, of Benicia, acted as Lay Readers alternately in this place. In November, 1866, Mr. Cameron was succeeded by Rev. Henry G. Perry, who from that time also officiated at Martinez. Here he established a Sunday-school, procured for it a new library, and supplied it with catechisms. He found also that plans and specifications for a church had been prepared with a view to building, the occasional services being still held in the Methodist House of Worship. The communicants, however, remained attached to St. Paul's Church, Benicia, where the Eucharist was regularly administered to them, they crossing the Straits for that purpose.

On February 3, 1867, Martinez was visited by the Right Rev. Bishop Kip, who preached in the Methodist church. On October 9, 1867, the Pacific Associate Mission was organized in the Church of the Holy Communion, New York, by Revs. James Lloyd Breck, D. D., and John A. Merrick, D. D., Priests; and Revs. E. C. Cowan, B. D., and James H. Smith, Deacons. They reached San Francisco November 3d, and San José on the following day, and immediately commenced their work of education and missions. The missionary field was apportioned into eight stations, of which Martinez was one; the Rev. Mr. Perry transferring his church work at this juncture (1868) to their care. In January, 1868, they removed to Benicia, where they founded the Missionary College of St. Augustine, and from that point as a center carried on their missionary work. The first known administration of the Holy Eucharist at Martinez was by them, on Easter Sunday, 1868, nine communicants being present, besides the missionaries. The members of St. Augustine's College, under the supervision of the Rev. Dr. Breck, Dean, continued their care of the mission at Martinez through the year 1869–70; the work being first under the charge of Rev. E. P. Gray, Professor of Literature and Interpretation of Scripture. At this time considerable earnestness seems to have been aroused among the members of the church in the village, and during the year 1869, through the exertions of certain ladies of the congregation, money was raised, and the church building was begun and completed. The plans were furnished by Rev. Mr. Gray, and he superintended its erection. The work was commenced the last of July or beginning of August, and finished early in October. The entire cost of the church was seventeen hundred and fifty dollars. Soon after the completion of the church Mr. Gray gave place to Rev. E. C. Cowan, Headmaster of St. Augustine's Grammar School, who continued in charge until the Spring of 1870. Yet, until May, 1870, the communicants at Martinez had not severed their connection with St. Paul's, Benicia, Dr. Breck's parish. In January, 1870, by the advice of Rev. Dr. Breck, the church property was deeded in trust to the Bishop of the Diocese and his successor in office. On Sunday, July 10, 1870, Grace Church, Martinez, was consecrated by the Right Rev. William Ingraham Kip, D. D., he being assisted in the services by Revs. Dr. Breck and E. C. Cowan. The request for consecration was read by Mr. C. C. Swain, and the sentence of consecration by Rev. Mr. Cowan, who had been the last missionary in charge. During the visit the Bishop appointed Judge Thomas A. Brown and C. C. Swain trustees to take charge of the church property. On June 10, 1870, the constitution of St. Augustine's College at Benicia had been so changed that the theological and college departments were suspended. Dr. Breck and his associates in the Theological School resigned, and the Associate Mission came to an end. The connection of Rev. J. A. Merrick, D. D. with the college and mission being thus severed, August 24, 1870, he took

pastoral charge of the new parish of Grace Church, Martinez, now for the first time become wholly independent of the church in Benicia. Dr. Merrick continued his charge only to the beginning of the year 1871, when failing health obliged him to resign.

From February 1 to July 1, 1871, Rev. Wm. Benet was engaged to act as missionary; but from the time of his departure no services were held in the church until March, 1872, when arrangements were made by Dr. Breck, by which either he, or Rev. William P. Tucker supplied the place as they were able, or Mr. H. W. Taylor acted as Lay Reader. This arrangement continued for a year and a half, the duty for the most part falling upon Mr. Tucker, at that time Rector of St. Augustine's College. In October, 1873, the Bishop sent Rev. Henry B. Monges, Deacon, to take charge of the parish. Mr. Monges gave his services to the church from that time until August, 1878, when he resigned the parish into the hands of the Bishop, but still, at the Bishop's request, kept up services for over a year more. During his charge a tower was erected, and a bell procured, at a cost of nearly six hundred dollars; a new organ and a new carpet for the church were bought and over two hundred volumes were given by his personal friends to the Sunday School Library. May 13, 1880, Rev. James Abercrombie, D. D., the present incumbent, then residing in Los Angeles, having removed there after resigning the rectorship of Trinity Church, Santa Barbara, at the solicitation of the Bishop entered upon the rectorship of the parish. During his ministry, two handsome chandeliers were early presented to the church by Mr. Josiah Sturges, a handsome altar, the joint offering of the Rector and Mr. Byron Brown was in the chancel on Thanksgiving Day, November 24, 1881, and on Christmas Day, a beautiful Prayer Desk and Seat, offerings of Hon. Elam Brown, were therein placed. On New Year's Day, 1882, a Memorial Chancel Window to the Rev. James Lloyd Breck, D. D., founder of the parish, and made by Edward Colgate, of New York, was in place, together with a small side window by the same artist. The following, from *The Living Church* of January 28, 1882, is a description of the Memorial: "The window is a triplet six and a half feet by ten feet. The central figure is the Good Shepherd, with a countenance, as has been remarked, with much truth, of 'beautiful and tender expression.' Above is a descending dove, surmounted to the right and left by Alpha and Omega. Below is the I. H. S. On either side are the symbols of the four gospels, and of the Holy Eucharist; and at the base is 'In Memoriam, Rev. James Lloyd Breck, D. D. Died March 30th, 1876.' The design is most appropriate, and the coloring and effect of the whole admirable and elegant." A convenient and expressive Prothesis was soon after provided. Easter Sunday, April 9, 1882, the congregation found the redwood walls and open roof of the church becomingly tinted, with the timbers left the natural color, also a Stone Font, an offering of the Youth of the parish. On the Altar, too, was

an exquisite metal Cross and Vases made by R. Geissler, of New York. Early in this year all arrangements were completed in the obtaining of the corner lot contiguous to that whereon is the church, the intention being to move this to the central line; accordingly trees have been planted in the new acquisition.

CONGREGATIONAL CHURCH, MARTINEZ.—A congregation of this denomination was organized June 18, 1874, in Martinez, by calling a meeting. The first resident pastor was the Rev. W. S. Clark, who was succeeded, in 1875, by Rev. E. B. Tuttle, who had pastoral care of the congregation for four years. During his charge the neat little building formerly owned and occupied by the Methodist Episcopal body was purchased, and in it services have ever since been held. In 1879 Mr. Tuttle was succeeded by Rev. John Hooper, who at the expiration gave place to Rev. A. Drahms, the present minister, in January, 1881. The Church is entirely free from debt, the building is in good condition, and the society numbers forty-five members.

SCHOOLS.—The first school in Martinez was taught by that worthy pioneer, B. R. Holliday, but it was many years before any permanent building was erected for that purpose. In 1858 it was complained that there was no good school kept open during the year, but the matter would appear to have remained in abeyance until 1872, when, during the month of October, the Martinez School District raised by tax the sum of three thousand dollars for the purpose of building a schoolhouse, which for twenty years and more they had been in want of. To this end, under the presidency of Hon. C. B. Porter, a meeting of the citizens of Martinez was held October 12, 1872, to consider what measures should be taken to provide the district with a suitable school building. On the 16th, the meeting, having been adjourned to that date, Mr. Fowler submitted a plan of a four-room building, two stories high, forty by eighty feet on the ground, to cost a sum not exceeding six thousand dollars; but nothing more was then done than the appointment of a committee to ascertain upon what terms a loan of three or four thousand dollars could be obtained. On October 19th they reported that the last named sum could be borrowed at twelve per cent. per annum, payable semi-annually, the principal to be paid in installments of not less than one thousand dollars at any time after one, and within a term of four, five and six years, as might be agreed upon. On November 23d the trustees invited bids for furnishing materials and erecting a public schoolhouse, seventy-two by thirty-two feet, with central hall and tower, a projection front and rear twelve by twenty feet, cross-roofed with the body of the building which is to be surmounted with a cupola and belfry. The bid of Burrell & Co., of Oakland, for six thousand, nine hundred and forty dollars was duly accepted and work commenced, the whole being completed early in 1873.

The public school at Martinez is a building worthy of any metropolis. The main body of the house is seventy-two by thirty-two feet, with full height, central tower or stair hall fifteen by twenty-five feet, and rear central stair hall fifteen by twenty feet. The structure rests on a solid brick foundation, sunk two feet below the ground, rising a foot and a half above the surface. The cupola, crowning it at a height of sixty feet above the ground, has a twelve-foot square base, supporting a belfry curving into a square of five feet at the crown around which is an iron railing with curved braces from the angles supporting the rod of the weather-vane. Each of the four fine school-rooms are lighted by six large windows. The upper stair halls afford rooms for school apparatus, library, etc. The building is located near the center of the valley village, in full view of the Straits of Carquinez and Benicia, and in the shadow of lofty hills.

The *Gazette* of July 5, 1873, says: "For the purpose of securing the required funds—about one thousand dollars—to fence handsomely, lay out, grade and embellish with trees and shrubbery, the school block and the block adjacent, set apart and dedicated as a public square, the people of Martinez propose instituting a series of public entertainments, which will include amateur dramatic representations, socials, lectures, festivals, concerts and school exhibition exercises, and such other various attractions as will offer to the people a pleasant inducement to contribute their money for the accomplishment of a plan of public improvements which they all heartily desire." "The best laid plans 'mongst mice and men gang aft agley." The "hearty desire" may still remain—so does the square, still public, but, to wandering cattle and grunting porkers!

NEWSPAPERS.—There are two newspapers published in Martinez, both of which have a considerable circulation throughout the county, and which are conducted with much editorial skill. Below we give full histories of each.

THE CONTRA COSTA GAZETTE, from the files of which a large and interesting portion of the matter compiled in this history is derived, was the first newspaper published in Contra Costa county. Its first issue appeared on the 8th day of September, 1858. It is now consequently near the close of its twenty-fourth year, and has never missed its regular publication day, although the earthquake of October 21, 1868, made a wreck of the brick building at Pacheco, in the second story of which its office was located, and obliged a hasty temporary removal of the press and sufficient type for getting out the paper to the ground floor of a vacant frame structure. The continual recurrence of more or less startling "tremblous" during forty-eight hours after the great shock rendered it perilous to remain in the shattered building, and very difficult to procure sufficient help that would incur the risk involved in removal of the press and necessary office material from it. Again, in

September, 1871, the office and every scrap of its material was destroyed by fire which occurred on Tuesday morning, but within forty-eight hours it had a complete new office outfit, and its issue of the week printed on Saturday, so that it reached most of its subscribers but one mail later than usual. The publishing firm of the *Gazette* at its out-start was W. B. Soule & Co. The "Co." represented a number of public-spirited citizens of Martinez, who contributed part of the amount for payment of the office outfit to the said W. B. Soule, and had become responsible for furnishing it. In the course of a few weeks these sponsors found they had put their contributed money in the hands of an unmitigated confidence sharp, of plausible address, who had applied none of it to the payment of the material procured, but had obtained it all upon their guaranty of payment, and misappropriated the money advanced to him. This confidence operator's connection with the paper continued but little more than a month. The gentlemen who had thus found themselves at unexpected costs, the owners of a newspaper establishment, then made an arrangement with two practical printers, Charles Bonnard and B. E. Hillsman, for its publication, and its seventh number was issued October 30, 1858, by Bonnard & Co., as publishers. In February, following, W. Bradford became the sole owner and publisher, and so continued for something more than a year, when, in April, 1860, R. R. Bunker purchased an undivided half interest in the paper, and, until March, 1861, it was published by Bradford & Bunker. In that month and year, Mr. Bradford disposed of his interest to W. W. Theobald, and Bunker & Theobald became its publishers. The development of the grain-growing interests of the central section of the county, and the centralization of its incident business at Pacheco, as the storage and shipping point, made that a more advantageous location than Martinez, and induced the removal of the *Gazette* to that place in September, 1861. In July, 1865, Mr. Theobald disposed of his interest in the paper to C. B. Porter, which made a change in the publishing firm name to that of Bunker & Porter. The decline of Pacheco as a business point in consequence of the opening of new competing outlets for the products of its former tributary district, determined the proprietors upon a removal of the paper back to the County seat. A commodious and well situated office was erected, and the paper removed to Martinez in November, 1873. Up to the present time the life-term of the *Gazette* has been about equally divided between the two places of publication—about twelve years in each. In March of the present year, F. L. Foster purchased a one-third interest in the *Gazette*, and its publishing firm is now Bunker, Porter & Foster.

The Contra Costa News.—This paper was first established in the Spring of 1874, in the town of Pacheco, which is situated about five miles from Martinez, the county seat. The founders of the journal were Barry

Baldwin, George J. Bennett and W. K. Dell, who placed Charles H. Chadwick in full charge of the enterprise. Mr. Chadwick managed the paper for about two years, when he resigned. He is now living in San Francisco and managing a hotel. Immediately after Mr. Chadwick's leaving the paper Mr. Dell purchased Baldwin's and Bennett's interests, and engaged W. R. Kennard and H. J. Jackson to conduct the paper. In the Spring of 1877, William R. Cranna, the present proprietor, returned from the East after an absence of six years, and was induced to take the editorial reins of the *News*, from which time up to the present, the *News* has gradually gained ground in every section of the county, and to-day is acknowledged one of the best weeklies published in California. During the last four years Mr. Cranna has added by degrees to the establishment a fine job department, and is now turning out all kinds of job printing, equal to any office in San Francisco. The *News* is Democratic, and the only paper published in the county that represents the Democratic principles and party, yet it is well patronized by those who are opposite in politics. The *News* has a good circulation in every town in the county, also in Oakland and San Francisco. The *News* office was removed to Martinez in 1877, where it is still located, and with the energy and enterprise of its proprietor, William R. Cranna, it will some day rank with the leading journals on the coast.

LODGES, SOCIETIES, ETC.—The Lodges and Secret Societies of Martinez are not numerous, but they suffice to perform the necessary duties devolving upon them. Being in easy access of all the towns in the interior, the interchange of fraternal relations is frequent and pleasant.

MARTINEZ LODGE, No. 41, F. & A. M.—This was the first Masonic Lodge started in the county, its charter bearing date May 6, 1854, the officers applying therefor being R. N. Wood, W. M.; H. Mills, S. W.; and Sam. Russell, J. W. The first meeting was held in the second story of the Berryessa adobe, May 27, 1854, the officers being Robert N. Wood, W. M.; Hiram Mills, S. W.; Daniel Small, J. W.; John Tucker, Treasurer; E. F. Wred, Secretary. In 1860 they moved into their own building, erected by subscription of the members. The present officers are S. J. Bennett, W. M.; George A. Sherman, S. W.; H. P. Edwards, J. W.; W. M. Hale, Treasurer; B. Borach, Secretary; E. P. Wagg, S. D.; P. McCarger, J. D. The Lodge is in a flourishing condition, and has a large membership.

LAUREL COUNCIL, ORDER OF CHOSEN FRIENDS.—This Lodge was organized June 17, 1882, with the following charter members: Alexander Boss, George W. Boss, Mrs. E. J. Boss, William Clark, Ellen J. Dowie, Mrs. C. J. Hollenbeck, Henry M. Hollenbeck, Ansil B. Hamblin, James E. Johnson, Mrs. Maria B. Lander, Dr. John Leffler, Mrs. Charlotte Leffler, David P. Mahan, Mrs. M. Perry, Nancy E. Pitts, Mrs. Getta Stewart. The mem-

bership is seventeen, and the officers for the current term are H. M. Hollenbeck, P. C. C.; Dr. John Leffler, C. C.; Mrs. E. J. Boss, V. C.; Mrs. M. B. Lander, Secretary; James E. Johnson, Fin. Sec.; Mrs. J. Leffler, Treasurer; A. Boss, Prelate; William Clark, Marshall; Mrs. N. E. Pitts, J. G.; George W. Boss, O. G.

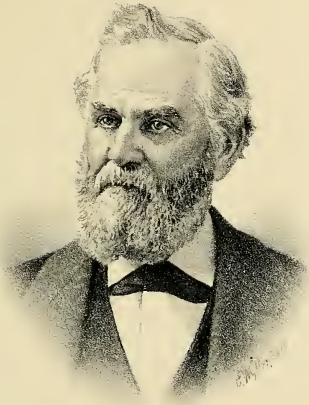
Occidental Chapter, No. 64, Order of Eastern Star.—This Chapter was organized October 15, 1881, with the following charter members; Elizabeth Williams, L. C. Wittenmyer, Francis Williams, Eva Bissell, Clara K. Wittenmyer, Lizzie T. Russell, Emma Moore, Helen C. Carothers, Margaret E. W. Thompson, Mary Brown, Narcissa H. Woodruff, Caroline J. Holenbeck, Henry M. Hollenbeck ,Clara L. Wittenmyer, Leontine Blum. The officers first elected were: Elizabeth Williams, W. M.; L. C. Wittenmyer, W. P.; Leontine Blum, A. M.; Eva Bissell, Secretary; Margaret E. W. Thompson, Treasurer; Emma Moore, C.; Clara L. Wittenmyer, A. C.; Nellie Carothers, Ada; Clara K. Wittenmyer, Esther; Mary Brown, Martha; Lizzie T. Russell, Electa; Cornelia J. Hollenbeck, Warder; Francis Williams, Sentinel. There are at present thirty-two members on the roll, while the Lodge is in a very flourishing condition, the officers for the current term being: Elizabeth Williams, W. M.; L. C. Wittenmyer, W. P.; Leontine Blum, A. M.; C. Ed. Miller, Secretary; Margaret E. W. Thompson, Treasurer; Emma Moore, C.; Clara L. Wittenmyer, A. C.; Ella Borland, Ada; Emily McCarger, Ruth; Clara K. Wittenmyer, Esther; Rosa Miller, Martha; Lizzie T. Russell, Electa; E. B. Wagg, Warder; Francis Williams, Sentinel. Meets in Masonic Hall, Martinez, on the second and fourth Mondays of each month.

Carquinez Lodge, No. 90, A. O. U. W.—Was organized March 31, 1879, with the following charter members: D. P. Mahan, Francis Williams, C. Ed. Miller, J. Weiss, J. C. McHarry, W. E. Coffin, J. B. Smith, D. B. Tinker, E. E. Webster, George S. Overfield, W. J. Hough, J. Leffler; the first officers being: F. Williams, P. M. W.; J. Weiss, M. W.; J. C. McHarry, G. F.; William Coffin, O.; J. B. Smith, G.; D. B. Tinker, Rec.; E. E. Webster, Fin.; George Overfield, Recd.; C. Ed. Miller, I. W.; W. J. Hough, O. W. The Lodge, which meets every Thursday evening in the hall of the Good Templars in Martinez, is in a flourishing condition, and has a membership of forty. The officers for the current term are: R. M. Jones, M. W.; Henry Raap, F.; Thomas McMahon, Sr. O.; F. Williams, Rec.; W. J. Douglas, Fin; E. E. Webster, Recd.; Frank Coleman, G.; H. G. F. Dohrmann, I. W.; John McCann, O. W. The past Masters of the Lodge are: J. Weiss, F. Williams, C. Ed. Miller, John Leffler, J. M. Littlefield and R. M. Jones.

The Bank of Martinez.—In the year 1873 the Bank of Martinez was started, and on July 28th work on the building was commenced by E. W. Hiller, and was completed about three months thereafter. The structure, with its ornate Corinthian composite front, plate glass, paneled wainscoating,

richly moulded counter, lofty rooms and elegantly finished walls and ceilings, proves to be as handsome an establishment as any in the State. On October 4th the iron safe, an elaborate piece of work made by Dubold & Kienzel, at Canton, Ohio, was received. It was placed in the fire-proof vault on the 6th October. On the same day (October 6, 1873,) the Certificate of Incorporation of the Bank of Martinez was filed, the Directors being: L. I. Fish, W. W. Camron, Simon Blum, Henry M. Hale, William M. Hale. The Capital stock was fifty thousand dollars, represented by five hundred shares of one hundred dollars each. During its first week a large business was done, and we are gratified to learn that its prosperity has continued up to the present time.

Grangers' Warehousing and Business Association.—A meeting of the members of the Danville, Walnut Creek, and Alhambra Granges was held at Walnut Creek, June 1, 1875, to determine what action should be taken on the report of the Joint Committees of several Granges with respect to the formation of a Grange Business Association, and the establishment of warehousing and deep-water shipping facilities at or near the town of Martinez. An incorporation was then formed called the "Grangers' Warehousing and Business Association of Contra Costa County," while the following Directors were chosen to serve for the first term: John J. Kerr, James Stone, Erastus Ford, of the Danville; Nathaniel Jones, J. W. Jones, H. S. Raven, of the Walnut Creek; J. Strentzel, James Kelly, Alexander Boss, of the Alhambra Granges. The capital stock was fixed at fifty thousand dollars, divided into two thousand shares of twenty-five dollars each. On January 10, 1876, a meeting of the citizens of Martinez was held to take action in aiding the enterprise. The chair was occupied by Dr. Strentzel. It was shown that the village would be greatly benefitted in becoming the shipping and commercial point of the country district, which the means of deep water shipping would make it, while the disposition of those present to render the undertaking all the assistance in their power was unmistakably good. Messrs. Fish, Blum and Porter were appointed a committee by the Chair to solicit subscriptions to the stock of the Association. Work on the property acquired was pushed with vigor. By the month of April the grading for the roadway and buildings was far advanced; on May 22nd the Construction Committee were authorized by resolution to contract for building a warehouse without delay; on June 12th this was commenced, and on the 17th of July, the first of the two warehouses was ready for the storage of grain, while, on July 12th, pile-driving for the wharf was commenced, and Robert M. Jones selected to take charge of the business. A track is laid from the warehouses along the wharf which adds greatly to the facilities of shipment, while the entire enterprise is in a flourishing condition, and a credit to the enterprise of Contra Costa's citizens.



T. N. Wills

THE FISHING INDUSTRY.—The following interesting account of the Fishing Industry at Martinez we copy from the *Contra Costa Gazette* of June 3, 1882: "Within the last few years the exportation of canned salmon has become generally recognized as one of the leading industries of the Pacific Coast. This fish has, from very ancient times, been everywhere esteemed as an article of food, and it was formerly widely distributed throughout the whole of northern Europe, Great Britain, Germany, France, Russia, Sweden, Denmark, Iceland, Norway and Holland, and was found extensively in the waters of Canada, Newfoundland and New England. Years of successive fishing have exhausted many of the streams, in which they once abounded, of this favorite fish; and the poisonous debris of saw-mills and manufactories has totally exterminated them from their old haunts in New England streams. In consequence of this depletion of Eastern and European waters, California and Oregon salmon finds a ready sale in almost every market in the world. That our supply is fully equal to the demand, has been made possible only by the exertions of the Fish Commissioners, who have worked steadily and faithfully to surround our fish interests with a net-work of laws, rules and regulations through which unscrupulous fishermen cannot break. It is safe to affirm that ten years ago there was not more than one cannery on the Pacific Coast where there are now a dozen; and yet the average number of salmon canned by each cannery is fully as great now as then.

"The Commissioners have done a good work. There is still much to do in ferreting out those who secretely violate the laws applicable to fish, and it is desirable that every officer vested with power should use all legal means to bring offenders to justice. The Chinese fishermen are open and persistent enemies, not only to salmon, but to all kinds of fish. With their shrimp mesh-nets, constructed so that small fish of every description are hopelessly entangled therein, they drag the waters of the Bay and annually destroy millions of fry, thus constituting a constant drain on the fish resources of the Coast. The severity of the laws have for a few years past partially precluded them from pursuing their nefarious occupation, but they still work in secret, when possible to do so, and there is not a week but that the laws are, to a certain extent, violated. The bulk of fishermen in this State are composed of Italians and Greeks, the Italians being probably in the majority. There are employed in the salmon fisheries between San Francisco and Sacramento, about eight hundred boats. Each boat is manned by two fishermen; there are, therefore, one thousand six hundred men employed in catching salmon between the two points named, or in a distance of only one hundred and twenty miles. There are two hundred and fifty boats in the Straits of Carquinez alone. There are nine canneries along the river and Suisun Bay, and several in San Francisco, employing, on an average, from sixty to eighty men to each establishment.

There are, therefore, no less than two thousand five hundred men employed in taking salmon and canning them for home and foreign consumption. These figures convey some idea of the growing importance of this comparatively new industry; but a more definite conception of the enormous amount of fish taken yearly from our rivers and bays may be formed by considering the fact that the San Francisco markets alone, this season, dispose of two thousand fresh salmon daily, to say nothing of the Sacramento, Stockton, Oakland and San José markets, and the sales made throughout the smaller towns of the interior. The cost of a fishing outfit ranges from $450 to $800. A suitable boat can be purchased for an average price of $260. The nets in use up the river are comparatively small, and cost about $200; those used in the Straits will average at least $300 apiece—they are of much greater depth, and contain a great deal more material. The thread for their construction costs one dollar per pound, and some few nets contain as high as three hundred pounds of netting. The ropes, lines and corks for each net costs about $50. The construction of a good net is worth $180; but fishermen generally save this amount by making their own nets. If hired done, fishermen pay twenty cents a fathom for the work. The fishermen pursue their vocation at all points on the river and bay during the season. The fish, after remaining a short time in the brackish water below the Straits, begin to ascend. The first catch will be made in the Straits; the following day the fish will have reached Collinsville; and the next day they may be found at Rio Vista. In this manner they ascend, gradually lessening their speed the further up they go. The Winter run commences in January, and consists of a variety of salmon much longer and thinner than those caught in the Fall. In February the number of fish to be found are but limited. The Spring run, which commences in March, is composed of a variety much thicker than the fish of the preceding run. They ascend in limited quantities, only.

The Fall run is the largest, and commences in August. These salmon, known as the hook or hawk-nosed salmon, are the very largest variety. The run continues for six weeks, the principal body going up in September. The average daily catch varies according to the season. Last season the salmon ascended in such numerous quantities that the fishermen could have caught each day per boat, for a period of six weeks, over one hundred fish. But the markets were glutted, and as it was impossible to dispose of that number, they contented themselves with catching merely enough to supply the demand. This season the average daily catch per boat does not exceed twenty fish; and the supply is not sufficient to keep the canneries running at their full capacities. The price, of course, varies according to the supply and demand. The canneries started at Martinez and Benicia, by creating a more extensive demand, have doubtless influenced prices this season to some extent. Last year the average price per fish was but thirty-five cents. This

year the price has been as high as sixty-five cents, owing to the scarceness of salmon and the competition of the canneries; but a compromise, resulting in an equal distribution of fish to the several canneries, has reduced the price to forty cents. The principal buyers are Bradford & Co., Booth & Co., Colville, Johnson & Co., Lusk & Co., the Fisherman's Cannery (at Benicia), Black, Kendall & Shields, A. Lusk, and Pardini & Co. Suisun flats and the Straits of Carquinez are the principal fishing grounds. A number of boats fish at Sonoma flats, below Mare Island, but the fishing there is difficult, owing to the roughness of the water. Within the last two years a place above Vallejo, on Napa river, commencing at what is known as Slaughter House Point, has become quite a favorite fishing ground. The grounds up the Sacramento river are also extensive, and thousands of salmon are caught there daily during the season. The fishermen are, as a class, brave, hearty men, to whom an almost constant open-air life, and the fresh, salt breezes of the sea, have imparted a ruddy countenance and a healthy circulation. The peculiar nature of their occupation brings out the muscles of their arms, expands their chests, and gives them an air of activity peculiarly their own. Their costume is simple and picturesque; and, as a whole, they form an unique group among the various industrial classes of the coast. They are all governed in their relations to each other by unwritten but effective laws, created by themselves for self-protection. When the tide is running out, the head of a "drift," or group of boats, has the privilege of first letting out the net; the second boat then follows, each awaiting its turn. Any attempt to secure an undue advantage by crowding into some favored position would be resented by the balance of the drift in a manner not tending to the pecuniary advantage of the offending party. At slack water, when there is no movement of the nets, the fishermen take their respective positions within about one hundred yards of each other.

SALMON CANNERIES.—Allied to the subject of fisheries, and dependent upon it for its existence and prosperity, is the industry represented by the numerous salmon canneries which have within a few years past started into operation along the bays and rivers of the Pacific Coast. It is impossible to state in round numbers the amount of revenue that flows into California each year from the exportation of canned salmon, but some conception may be formed by making a tolerably approximate estimate of the business operations of the ten canneries situated on the banks of Suisun Bay and the Sacramento River. These canneries, when working a full force, will put up an average of one thousand five hundred fish each per day; while many fish of twenty-five to thirty pounds weight or more are caught, the average weight will not exceed sixteen or seventeen pounds; and the average weight after they have been divested of heads, tails, and insides, preparatory to being cut up for canning, is about twelve pounds.

The bulk of them are put up in cans containing one pound net. The capacity of a cannery depends upon the number of its retorts, in which the fish are steamed, and which are capable of disposing of nine hundred cans per hour, or nine thousand per day, each. In each of the two canneries at Martinez there are two retorts; the cannery at Benicia has three; and those at Collinsville, Chipp Island and Black Diamond, four each; the one at Courtland has probably two; and those at Sacramento, four each; making in all twenty-five retorts in the ten canneries. These are capable of canning two hundred and twenty-five thousand cans per day. Generally the supply of fish is not sufficient to keep the canneries running more than ninety days, during which time they can put up twenty millions two hundred and fifty thousand cans containing one million six hundred and eighty-seven thousand five hundred fish.

The wholesale price last year averaged $1.15 per dozen cans; this season the market is firm at from $1.35 to $1.47½ per dozen. At an average of $1.25 per dozen, the gross income of the canneries named, if running at full capacity, would be $2,109,375. The fact is, however, that the canneries do not run, generally, at more than one-third their capacity; the actual average daily put up this season being two thousand five hundred cans for each retort. The fishermen this season will not average more than twenty fish per boat each day; last year one hundred was not an extraordinary catch. Canneries that have worked as many as eighty men at a time are now working only from twenty-five to forty. Two-thirds of the salmon exported from the coast are caught in the Columbia river and other northern streams, and prepared for the market at adjacent points. Although it is but a short time from the moment the salmon is entangled in the meshes of the fishermen's net to the moment it appears tightly-canned, and neatly labeled for the market, the processes by which it is prepared are numerous and interesting. Before the season commences, a number of hands are kept busy, manufacturing cans. By accurately gauged machinery, the tin is cut into strips for the sides and into bottom pieces properly flanged, after which they are soldered. The tops are left open for the reception of the fish. They are then piled up until wanted. At Black's cannery, in Martinez, there are at present over one hundred thousand cans not yet used. The salmon, having been caught, are deprived of their heads, tails, fins and insides, by the fishermen. They are then delivered at the canneries. Here they are rinsed in clear water and thrown into a large draining receptacle, from which they are taken and placed upon a table, to which is fastened a cutter, composed of a half dozen long, sharp blades. One motion cuts each fish into requisite lengths for filling the cans. The pieces are then passed along and cut lengthways by a huge knife in the hands of a skillful operator; generally two of these pieces fill a can. Having been properly cut, they are transferred to another table, where the cans await them. The cans are then filled,

and if done by experienced persons, they will not vary more than an ounce in either direction from a pound. A portion of them, however, are weighed in order to maintain the average. Having been filled, a small portion of salt, accurately measured, is dropped in a dozen of them at a time, and the cans are passed to another group of operatives, who put on the tops and solder them. There are two methods of soldering. Where the tops are so flanged as to pass over the cylindrical body of the can, they are immersed in the melted composition, about ninety at a time, and thus simultaneously soldered. Where the tops are inserted into the upper portion of the can, they are soldered in the ordinary way, the operation being performed very rapidly. Next comes the testing, which is done by plunging the sealed cans into hot water. If there is a leak in any can, it will be indicated by bubbles, caused by the expulsion of the air contained within. Each defective can is taken out and returned to the solderer, who remedies the defect. The cans are held in large crates, constructed of iron, and are of sufficient depth to hold them. Each can is now punctured in the center of the top piece, for the purpose of allowing all the air to escape; and while still hot, the perforation is soldered, thus hermetically sealing them. They are then removed to the retorts, which are capable of receiving ten crates, or nine hundred cans. Here they are thoroughly cooked, by means of compressed steam, the operation requiring about one hour. The fish are now in suitable condition for consumption, and the remaining processes do not affect the contents of the can. Having been cooked, the cans are withdrawn from the retorts and placed in a lye vat, for the purpose of cleansing them of grease or dirt of any character that may have accumulated upon them during the previous processes. Having been thoroughly cleansed, they are immersed in a solution of yellow lacquer and benzine. This prevents them from future rust or tarnish, and at the same time imparts a beautiful, light-golden finish to the outer surface. The cans are now ready for labeling. This work is done principally by girls, many of whom become very skillful. A dexterous hand will label from four thousand to five thousand cans per day, although from three thousand to three thousand seven hundred is a fair average. The next and last process is boxing. They are placed in wooden cases, each containing four dozen cans, and are then ready for shipment. There is scarcely a market in the world which does not furnish consumers for the Pacific Coast salmon, although the principal shipments from the canneries at Martinez are confined to Australia and the larger cities of the United States. New York, Chicago, Galveston, St. Louis, Boston and Kansas City are some of the points to which frequent car loads of salmon are sent. One noticeable feature of both Black's cannery and that of the Martinez Packing Company is the scrupulous cleanliness that characterizes their manner of handling the fish. The salmon, before cutting, are thoroughly washed, and the tables upon

which they are placed are kept constantly clean, as are also the crates, vats and retorts. The operatives are cleanly, and although the smell that necessarily pervades an establishment in which many thousands of fish are handled daily is not pleasant to persons possessed of sensitive olfactory nerves, there is nothing in any of the various processes through which each fish passes to offend the sight or smell of even the most fastidious. That the salmon canning industry in this State will in the near future assume still larger proportions than at present, is certain; and that Contra Costa county, by means of the vast fishing grounds bordering upon its extended water front, is destined to receive a large share of the pecuniary benefits to be derived from the industry, is still more certain.

Salmon Cannery of Joseph Black.—Was established January 1, 1882, in a building two hundred by eighty feet, where are employed from eighty to one hundred hands, who turn out eight thousand cases per month, each case containing four dozen cans, while each can holds one pound of fish. The goods are shipped to Europe, the Eastern States, Australia, New Zealand and Honolulu.

Martinez Packing Company.—The process of canning salmon by this Company was commenced at Martinez in March, 1882. Sixty hands, mostly white labor, are employed, boys and girls doing the filling and labeling. It has a capacity of turning out three hundred and fifty cases per day, of four dozen cans each, which find a market in the Eastern States. The President of the Corporation is George Shiel, while F. I. Kendall acts as Secretary and Treasurer.

The Christian Brothers' Institution.—The largest and most important architectural recent improvement in Martinez or its vicinity is the handsome structure of the Christian Brothers, work on which was commenced in 1881, and completed in the Spring of 1882. Occupying, about half a mile south of the Court House, a commanding central position upon the slope of the semi-circular sweep of hills that wall the town around except upon its water front side, a fine prospect is to be had from the building over the town, the straits and bay, to the Coast Range and Sierra Nevada summits, while its fine, imposing proportions and situation make it a conspicuous object from many points of view. The order of Christian Brothers is organized, as we are led to understand, under authority of the Roman Catholic Church, for the instruction and training of teachers for its parochial and other schools. Those entering the order, after a novitiate term, are ordained for life as teachers, if found suitably qualified. The order has a membership of nearly fifteen thousand, engaged in its work over the world, with a Superior Director, whose residence is in France. The executive Principal of the establishment at Martinez is Brother Pirmian, whose gentle and parental kindness of manner makes a favorable impression upon all who

meet him, and is calculated to gain him the confidence and affection of those who are committed to his charge for instruction and training.

Since the property here now occupied by them (comprising about seventy acres of what was formerly known as the Bush farm and homestead) came into possession of the Brothers it has been greatly improved in other respects, as well as by the grand new building. Fruit, ornamental trees and shrubbery have been extensively planted, several wells sunk, one of which, entirely in the sandstone rock, affords a copious and unfailing supply of fine water, which is pumped by windmill into a cemented rock cistern, excavated upon an elevated portion of the grounds, and drawn thence under large head pressure for the irrigating and domestic uses of the establishment. Advantage has been taken of the bold outcrop of a sandstone ledge along the side of one of the sloping ravines, to form several picturesque rustic grottoes, seated alcoves and rests, fronted by rock mounds, fountains, rough rock water pools, and other rustic fancies.

Besides the quite extensive original fruit orchard upon the place, some two or three acres have been planted in 1882 with choice peaches, apricots, apples, and other fruits. The roomy and convenient dwelling house on the place, since it came into their possession, has been renovated, and, in its fresh paint, made to harmonize with the improved surroundings. The new building, planned for the school purposes, stands upon ground sloping northward, the direction in which it fronts. It is of the best selected materials, faithful workmanship, and good finish in all details throughout. Its plan is that of two wings, each twenty by fifty feet, connected by a central section, the broad verandas and balconies of which extend its width to a flush line with the wings. The building is two and a half stories in height. The study room occupies the lower story of the west wing, and above that is the chapel, a beautiful room twenty by fifty feet in size, and twenty-one feet in height, with in-reaching cornice that forms a ceiling panel of fine proportions and effect. The lower story of the east wing, under which is a fine, dry cellar, its full size, furnishes a large dining room and pantry, above which are the neatly furnished and kept dormitories and wash-rooms. The central portion of the building affords a large library room, six or eight handsomsly finished office or recitation rooms, each furnished with marble mantel and fire place, and as many handsome bedrooms. The building is also well provided with conveniently situated water closets, bath rooms, and water supply pipes. A spacious and well-furnished detached kitchen stands about ten feet in the rear of the pantry and dining room section, and large sewer pipes carry the flush water and sewage to a cistern pit on a lower and distant portion of the grounds, where it can be composted and utilized for fertilizing purposes when desirable. In excavating for site of building, the material from the rear side hill slope was deposited in front, where it forms a broad level esplanade, beautified with

bordered walks, flowers, shrubs, and water fountain. For the purposes of the institution, the establishment seems now to be well provided in almost every conceivable particular; and it could not have found a more desirable location, so far as pleasant surroundings, facilities of communication, or pleasant and healthy climatic conditions are concerned. The present number of novitiate students is small, but is certain to increase to the extent of the large accommodations of the establishment.

CEMETERIES.—The "God's Acre" in Martinez is one of the most beautifully situated "Resting Places" in the State. Commanding a prominent position on a considerable elevation, here lie in peace many of the county's dead, whose headstones tell their tale, and whose well-kept graves attest the love which binds those remaining on earth to those who have journeyed to that "undiscovered country from whose bourne no traveler returns."

ALHAMBRA CEMETERY.—The Alhambra Cemetery was originally a portion of the town of Martinez, surveyed into town lots, and formed a part of the Pinole Grant of the Martinez heirs. Here, as early as 1854, was buried A. M. Holliday, and here, too, rests that venerable pioneer Captain Joseph R. Walker. Born, says his epitaph, December 13, 1798, he emigrated from Tennessee to Missouri in 1819; to New Mexico, 1820; to the Rocky Mountains, 1832; to California, 1833; camped at Yosemite, November 13, 1833; died October 27, 1876. In the year 1862 the open ground was enclosed by the people of Martinez and its vicinity, by subscription, and in March, 1869, the Alhambra Cemetery Association was incorporated, with the following Trustees: O. C. Coffin, E. W. Hiller, Thomas A. Brown, L. I. Fish, Mark Shepard, C. C. Swain. Those at present serving (1882) are: W. M. Hale, President; G. A. Sherman, Vice President; L. C. Wittenmyer, Secretary; E. W. Hiller, Treasurer and Superintendent; M. H. Bailhache, and Dr. J. H. Carothers. The ground, which is five acres in extent, is supplied with water by windmill power and retained in a large reservoir for facility of distribution. The property is now owned by the Association, they having acquired it by purchase.

ROMAN CATHOLIC CEMETERY.—Contiguous to the Alhambra, and on still higher ground, is the cemetery of the Roman Catholics. At one time the resting place for their dead was on the same hill as that of the protestants, but a fire having destroyed many of the monuments, they moved to higher ground. Here lie many of the early Spanish settlers and their descendants; underneath the high wooden-cross, which is to be distinguished from far and near, is buried one of the Briones family, while in close proximity to it is the chaste and beautiful tomb of the late respected and much regretted Supervisor John Tormey. This point commands an extensive view; below —at one's feet —lies the little town, nestling in its frame of hills, and sheltered by umbrageous trees; to the north we trace the bays and creeks of the

opposite shore of Solano, and its thriving town of Benicia. To the right rises Mount Diablo in all its beauty of shape and color; to the left in the blue distance we gain a peep of Mount St. Helena, at the head of Napa valley. Anon the shrill shriek of the locomotive is heard as it rounds the military lines on the opposite side of the Carquinez straits, its journey may be traced until it is swallowed by the capacious maw of the *Solano*, the leviathan ferry-boat which transports it to the shores of Contra Costa; we see the giant slowly leave her berth, and quickly traverse the intervening space of water, and safely glide into the slips at Port Costa, and off the cars rush for their destination. Again, as the sun sinks, the lengthening shadows of the trees warn us of approaching night. The air becomes chill, we leave the hallowed spot, having communed with nature and her "departed spirits."

PORT COSTA.—This is the name given to the point whereat the Central Pacific Railroad Company land their trains from the East, *en route* to San Francisco. From its immense advantages as a shipping point, a number of vessels load wheat here every year for Great Britain and elsewhere, while the immense storing facilities, in mammoth warehouses, has earned for it a name, second to none, as a shipping center on the Straits of Carquinez. The Ferry-boat Slip was completed in the year 1879, and is a splendid piece of workmanship, while the *Solano* itself is one of these truly gigantic boats that have to be seen to be appreciated. So far, Port Costa has been purely a place for loading and discharging ships. It has no roads leading into nor out of it, while its situation at the foot of a considerable bluff precludes the possibility of its ever extending into a town of any magnitude. Of this rising little town the *Contra Costa Gazette* of June 24, 1882, says: "Although it is not yet two years since the first export cargo of wheat was loaded at Port Costa, it has already out-stripped San Francisco, Vallejo and Oakland, loading more ships during the grain year now drawing to a close than either one of those places; and within two years more, more than half of all the exported flour and wheat will be loaded at the wharves along the south shore of the Straits of Carquinez, between Martinez and Vallejo Junction. From the first of July, 1881, to Tuesday last, Geo. W. McNear had loaded one hundred and three ships at his Port Costa warehouses, and some eighty or ninety cargoes have been loaded there and at the California Grangers' warehouses, below, by William Dresbach and other shippers."

CROCKETT.—The town of Crockett, upon the Straits of Carquinez, about six miles below Martinez, and named in honor of ex-Judge J. B. Crockett, late of the California Supreme Bench, has a pleasant bench location with a fine outlook over the San Pablo Bay to the Coast Range from Mount Tamalpais to those of Mendocino in one direction, and to the Sierra Nevada in another. The town site is laid out from the Edwards Ranch,

and is to have an ample supply of good spring water, distributed through iron pipes. The location of Heald's extensive machine shop and foundry at that point created the necessity for, and insures the considerable future growth of the town, in which the sale of intoxicating liquors is forever prohibited by provisions in all deeds for sale and conveyance of lots. Besides the large three-story hotel completed and opened recently by Mr. Pinkerton, several well-planned cottage dwellings are being erected by *employés* of Heald's works, and others will likely be commenced at no very distant date. A roomy building, erected and used for boarding the men employed in building the machine shop and foundry, has been utilized for a school-house, furnished with handsome seats and desks, blackboard and interior walls whitened, making a school-room amply spacious and of pleasant aspect, which has been placed under the superintendence of Miss Lottie Bent, of Martinez, a graduate of the State Normal School.

As now laid out, the town tract of Crockett consists of eighteen blocks, divided into lots of fifty by one hundred feet each, the streets running east and west. The first thoroughfare to the north is named Loring Avenue, next is Winslow, Alhambra and Edwards streets; the others are called Bay, Heald, Jackson and Vallejo: Within the town limits there are thirty-one acres, and all most desirable as a place of residence and a center of trade. The town site was surveyed by T. A. McMahon, County Surveyor.

HEALD'S FOUNDRY.—The most important and extensive industrial enterprise of permanent character ever undertaken in Contra Costa county is that of J. L. Heald, at Crockett, on the railroad and deep water frontage of the Straits, six or seven miles below Martinez. Mr. Heald had developed his business to large proportions at Vallejo, where he found himself under disadvantages for its enlargement and prosecution, and, in looking up a new location with superior advantages, determined upon the one he has chosen as better suited to his requirements than any other to be obtained. With the Messrs. Edwards, father and brothers, he made satisfactory arrangements for shop site and wharf franchise, and joint interest with them in the lots of the adjacent tract laid out as a town site. The town and his works are supplied with water from springs on the Edwards farm, through iron main and distributing pipes furnished and laid by Mr. Heald. The foundry and machine shop building is of brick, laid in cement mortar, three hundred feet long by one hundred wide, inside clear measure; the openings are all over and under arched for equal distribution of roof and wall weight upon the foundations. The roof covering is heavy corrugated sheet iron, supported upon iron truss girders and rafters, making a completely fire-proof structure, and one of the largest and most substantial in the State, for the purposes designed. While the establishment is provided with first-class appliances for the manufacture of almost any description of boilers, machinery, and stationary and movable steam engines, it is more particulary intended

John F. S. Smith

for the manufacture of threshing steam engines, separators, grape-crushing, stemming and pressing machinery, barley mills, and other agricultural machinery, of the styles Mr. Heald has originated or greatly improved, and which have won high favor upon their tested merits. In the absence of Mr. Heald, on our visit to the works, we are under obligations to Mr. Etchells, the Superintendent, and to Mr. Charles, of the separator construction department, for information given us concerning the various classes of machinery manufactured at the establishment. Among the leading specialities of the manufactory are Mr. Heald's straw-burning threshing engines, all of which now made are constructed with cylindrical shell fire-box, and tubular flues of direct draft to the smoke-stack. This arrangement is found to be superior to the old style square, restricted fire-box, and return flue boilers; and has an advantage in an arrangement for getting at the fire end of the tube flues, through tubular apertures from either side of the boiler, to clear them if they become obstructed, and thereby avoiding the necessity of raking out the fire-box at all during a day's run, and permitting it to be cleaned only in the morning before starting-up, and when the ashes and cinders are cold and can be taken out without danger of fire. The threshing engines are made of three sizes, respectively of twenty, thirty-five and fifty-horse power—and one of the largest size is now at the shop receiving its finish for shipment to Dr. Glenn, at Colusa. The threshing engine boilers are all covered with thick non-conducting felting, on which is first a wood slat, and, outside of that, a galvanized iron sheathing. The engine crank shafts are all bent to form in the solid bar, while hot, by hydraulic pressure, and are in no danger of breakage from cold shuts, strain cracks, or imperfect welds. Mr. Heald's separators are built of various sizes, from thirty-six to forty-eight-inch cylinders, and, besides having been brought under test of practical field operation, to the highest degree of threshing, separating and saving perfection, he combines with them in the same frame, a re-cleaning apparatus, that turns the wheat out as thoroughly cleaned as it is in going through the process in a special cleaning machine.

Grape crushing, stemming, elevating and pressing machinery, and handling appliances, with specially adapted stationary steam engines of several sizes, for operating the machinery, are among the specialities of this establishment; and those of the grape raisers who require any or all of the appliances for their work in wine making, will do well to inspect Mr. Heald's grape-working mechanism. Heald's Roller Crushing Barley Mill has been amply tested, and does its work, as is claimed, better and more economically than any burr mill. It is simple and consists of two strong, plain cylinder rollers, eighteen inches in diameter by eighteen inches width of face, both driven by a belt upon the shaft pulley of one of them, the grain feeding down from the hopper between the two rollers. Running with a twenty-horse steam power threshing engine, this mill is said to have the capacity of sixty

tons per day. Hydraulic presses of various sizes, for grape pressing or other purposes, are also among the specialities of the establishment. Besides the threshing, and the compact and handsome style of the stationary steam engines for grape crushing and pressing, almost every other description of stationary and portable steam engines, boilers and other machinery, are made at the establishment, as may be ordered; and at the present time there are two magnificent tubular boilers there, of great heating surface and steam-making capacity, for a large flouring mill at Marysville. The location of Mr. Heald's foundry and machine shops, with a side track of the trunk line of the two inter-state and continental railroads at its south-side doors, and deep water facilities at those of the north side, for receiving coal and other material, or shipping its wares for river or ocean transportation, must be of many hundred dollars advantage per annum, with only the present extent of his business; and with its probable expansion, in course of a few years the saving thus effected in drayage, tolls, and other incidental expenses, will reach the amount of thousands per annum. With the high reputation of his machinery, for its special purposes, his advantageous location, the already well-established qualities and large demand for his machinery, there is every reason to anticipate that Mr. Heald's business will soon expand to as large proportions as any in its line upon this coast. The advantages of the deep water frontage along the Straits, from Bull's Head to Vallejo Junction, with the railroad alongside all the way for large manufacturing industries, and especially for flouring mills, are so great and apparent that they cannot long remain unimproved, and we may look in a few years to see many of the available sites occupied for such purposes.

PINOLE.—This landing takes its name from the Rancho granted to Don Ignacio Martinez, in 1824, and which derived its peculiar cognomen, it has been already said, from the fact that here some famished Spanish soldiery, on their way to the mission of San Rafael, received a mess of *pinole* (corn meal) from some friendly Indians. The first foreign settler in the vicinity was Doctor S. J. Tennent, who still resides about a mile from the hamlet.

As early as the year 1850, however, Pinole was recognized as one of the landing places *en route* to the inner waters of the State. In that year, a man named Manuel Sueyras, who had located on Doctor Tennent's land, had a five ton sloop named the *Citizen*, plying between that point and San Francisco, making her headquarters at Pinole. It remained, however, for Bernardo Fernandez, to develop the trading facilities of the locality. In 1854, after having sailed along the much indented shore of the San Pablo Bay to fix a place for landing, brought up his sloop, aptly named *Unexpected*, and thus started a regular trade. So he continued until early in 1855, when he purchased the *Beed Ruch*, and kept her on the route for about twelve months. He next located on shore, the beach being then smooth, and water

deep. In the year 1856, Mr. Fernandez erected a warehouse, which stood where now is the railroad depot, and in it, in partnership with H. Cruz, opened a store, or trading post. At the same time he constructed two small wharves, one thirty feet in length by twenty in width, and the other twenty feet long and eight feet wide. There was eight feet of water at the end of each. One of these wharves has disappeared; that last mentioned has, in the intervening years, been from time to time extended, until to-day it has attained a length of two thousand three hundred feet, yet with this extension, in like ratio, so has the depth of water decreased, for, as an absolute fact, at the extremity of this jetty which in 1856, when only twenty feet in length, and where was found water eight feet deep, twenty-six years later only the same depth is to be found at more than half a mile from shore.

The original warehouse as constructed in 1856, was one hundred by twenty feet in dimensions, and served its purpose until partially carried away by a freshet, on January 4, 1862, destroying a large quantity of grain stored therein. From time to time, Mr. Fernandez has added to his property at Pinole. At the present writing he has four excellent warehouses, with a capacity of storing one hundred thousand sacks of grain, his entire premises covering fully five acres.

In 1861 he severed his connection in the store with Mr. Cruz, since when he has maintained that trade on his own account.

About a quarter of a mile from the depot and the store of Mr. Fernandez, is the blacksmith and carriage shop of Messrs. Boyd and Fraser, surrounded by a few buildings, all presenting a neat and thrifty appearance.

Situated as Pinole is, at the mouth of the rich and beautiful valley of the same name, with such facility of access, proximity to San Francisco, on the pebbly beach of the San Pablo Bay, there is no reason why the little hamlet should not, in the near future, become a favorite location for suburban residences, desirable building sites in the neighborhood being plenty and capable of high improvements.

Hercules Powder Works.—These works are situated in the vicinity of Pinole station, and like those of the "Vulcan," have had their share of accidents. A terrific explosion occurred January 11, 1882, at 11:55 o'clock, A. M., in the mixing house of the Hercules Powder Works, at Pinole Station, which is about eighteen miles north of Oakland. The shock was perceptible at Oakland, and the cause was at once attributed to the blowing up of one of the powder works north of the City. Twenty minutes after the calamity, a telephone dispatch announced that the explosion had occurred at the Hercules Powder Works which are located half a mile northeast of Pinole Station. The buildings were erected in a series of gullies and ravines. In the first were the acid works, in the second were the mixing and packing houses, and in the third was the magazine, so that in the event of

an explosion in any one, the others would escape injury. The cause of the trouble was the explosion of the steam chest in the mixing-house. There were twenty-five white men and twenty-five chinamen employed in that building, and just as soon as they perceived evidences of trouble, they all ran for dear life. When the works went up, they were all outside, making tracks for a place of safety. The concussion exploded fifteen hundred pounds of powder, and several boxes in the packing-houses adjoining; the flying timbers killed one chinaman, and injured two others. The windows of all the dwellings in the vicinity of the place were also blown out. In the residence of the Superintendent, E. Scott, there was not even half a pane of glass left. Only one white person was in any manner hurt, and he received a cut from a flying piece of glass. The big still at the acid house, which cost fifteen thousand dollars, was entirely uninjured. The damage amounted to about twenty-five hundred or three thousand dollars. The works had only been up about five or six months. The body of the defunct celestial was taken in charge by the Coroner. The mongolians would not approach it, and would not suffer its removal to their quarters, and it was temporarily deposited in an adjoining warehouse. At San Rafael, the houses were shaken by the concussion, as if by an earthquake, and in Oakland the shock was so severe as to cause many, apprehending danger from an earthquake, to run out of their houses. In Livermore, the shock was distinctly felt, and was attributed to an earthquake. Another chinaman since died, the others received injuries, but not beyond a few bruises and cuts.

SAN PABLO.—This village derives its name from the Rancho granted to Don Francisco Castro in 1823, and is one of the earliest settlements in the county. It is not authenticated who the actual first foreign settler in the place was. The residence of the Castros was the same as that lately occupied by Governor Juan B. Alvarado, who died there on July 13, 1882, aged seventy-three years and five months.

Governor Alvarado moved to San Pablo in 1849. He owned the greater portion of the large San Pablo Rancho, numbering thousands of acres, extending south from the bay of that name to about what is now the Alameda county line. Many claimants have appeared for the land and contested the ownership. Gradually acres have been relinquished, until at present only about fifty acres remain about the homestead. There is an important suit of Joseph Emeric *vs.* the Alvarados at present before the Supreme Court, and it was thought that a decision would be rendered on Saturday, July 15th, the day of the defendant's burial. The Emerics have a large place in the village, and are now among the principal land-holders.

The homestead of the Alvarados at San Pablo is one of the oldest and most picturesque in the State. It was built about 1838, and was on the property at the time it was purchased by ex-Governor Alvarado. It is

about a mile and a half from the railroad station. A winding country road leads to the place, through hay-fields most of the way, and stops abruptly in front of the romantic old house. At present the house stands about thirty feet back from the road. Formerly it stood alone in the center of the large Rancho. But now there are about its few acres the houses of the villagers, and directly opposite the old vine-covered house is the village saloon. The house is one-story in height, and is built of adobe. It is long and low, after the manner of old Californian houses. Across the outer front, about one hundred feet wide, and around the northern side and rear, is a broad porch. Over this grapevines and climbing roses trail in the wildest disorder, running up to the roof on the moss-covered stringers, and trying to force an entrance to the low windows. The walls are about two feet thick at one end of the house. On the outside is a stairway which leads to the attic above. Huge roof joists of hewn timber project at both ends of the house, and support the broad eaves. Many improvements were made when purchased by the Alvarados. The adobe walls were covered with clap-boards, and the interior was improved in many ways. The entire yard is overrun with shrubbery and flowering plants. Over the front path and winding walks about the house are low arbors covered with grapevines. Traces of former taste and care are visible in the arrangement of the yard, but now weeds and thistles are among the flowers, and a general appearance of ruin and neglect is about the entire place. Near the house is an old orchard of many hundred bearing trees. In the rear are old sheds and yards for poultry, and near by is the stable with tumble-down "lean-to's" about it.

The funeral ceremonies of the Roman Catholic Church were celebrated by Rev. Father Cummins, who is in charge of the San Pablo Mission. On the coffin were a few simple floral offerings, and at the head lay a cross of tea roses. The church is a plain little affair, and the ceremony was much simpler than is usual in the Catholic Church, the priest having only one assistant. A high mass was said, and at the head of the coffin the absolution with the *requiescat in pace* was repeated, accompanied by sprinkling of holy water over the coffin. In the chancel, under a picture of Christ, six candles in brass candlesticks were burning at the side of a small crucifix. The Latin services were read and recited in a low monotone, while the small assemblage of villagers listened in respectful silence.

At one time in his life the deceased was a regular attendant at the little church, and during his lifetime was the priest's helper in many charitable works. He gave the parish several acres, on which the present church building and the school house and priest's residence are now standing.

We are informed by William H. Martin, who came to the State in Stevenson's famous regiment, that when he first saw San Pablo there was a store, kept by Weatherby & Poole, where now the Union Saloon stands,

while John Proviso kept a like establishment on the opposite side of the street, which had, however, been first opened by a Chileno, whose name is now forgotten. In 1855, a hotel was conducted by Peck & Dohrmann, and known as the San Pablo Hotel. This was an adobe house, and stood next to the site now occupied by the above-mentioned saloon. John Galvin lived where his widow now resides.

On December 6, 1860, a meeting was held in the village for the purpose of organizing a joint-stock company to purchase a steamer, to run daily between San Pablo and San Francisco as a ferry-boat. On August 14, 1864, the new Catholic church was dedicated to St. Paul by Archbishop Allemany, the cost of the church being three hundred dollars.

To-day San Pablo is a quiet little town about twenty miles from San Francisco, with which it is connected by the Bay Shore Line of the Central Pacific. It is situated on the San Pablo Flat, about five miles from the bay. Around the railroad station are a few scattered houses, and farther east, nearer the ridge of hills, is a small group of houses in the neighborhood of the Alvarado place. The country is comparatively level, having a slight slope toward the water.

The place and vicinity is not in a very flourishing condition, owing hitherto chiefly to the unsettled condition of land titles. It is hoped, however, that, owing to recent litigation, such may be at an end. No settler, although he may have resided on the land for many years, cares to expend much in the way of improvements until his title is perfected. The moment this difficulty is finally settled, San Pablo will improve rapidly, as its nearness by rail to San Francisco makes it a desirable location. Now the village has few good buildings, the Roman Catholic Church and school property being the best. Here they have had an organization ever since the country was settled. There is also a Baptist Church in San Pablo, a commodious and well-appearing building.

Vulcan Powder Works.—This establishment is situated near Stege Station, on the San Pablo Rancho, where the company has extensive works and several buildings, established about three years ago. No less than three disastrous explosions have occurred on the premises, but the last has been the most terrific and lamentable. The tale of the harrowing accident is as follows: At ten o'clock on the morning of March 27, 1882, the Vulcan Powder Works was running in full operation, engaged in making bank blasting powder, technically known as "BB" powder. There were two large buildings, which are entirely destroyed. In a two-story building, known as the main building, in which the operation of granulating was conducted, the mixing was carried on and the engines were located. The other building was the dry room. This was a large frame structure about sixty by fifty feet, and forty feet high. An important addition was building to the dry room at the time of the tragic accident. The

two buildings were separated and some distance apart, but a wooden elevator ran from the main building to that used for drying purposes. At five minutes past ten o'clock a fire broke out in the jig in the granulating room. The small amount of powder there blazed in an instant, and the fire was communicated to the wood work adjoining. A stream of fire rushed along the elevator to the dry room, in which three tons of powder were stored. When the fire reached this there was no loud report noticed at the works, and there seemed to be no concussion. No windows were broken, even in the houses within two hundred yards. The dry house was blown apart in an instant, wounding and killing the men engaged there. The main building did not fall until after the dry room had gone. A small building used as an office was also consumed. The officers at the Powder works call particular attention to the fact that the devastation was caused by a fire, and not by an explosion. There were five white men and six Chinamen killed. Four white men were injured. Following is a list of the killed. George Stansfield, engineer; Lamb (initials supposed to be H. C.), was a carpenter of Temescal, working on the improvements to the dry house; L. W. Starr, a carpenter at work in the dry house; Thomas Mills, a carpenter at work in the dry house; Stewart, first name unknown, reported as a general assistant at the works.

Following are the men injured: Gottlieb Koch, carpenter at work on dry house, was wounded in the neighborhood of the liver, not thought to be serious. W. B. Dales, foreman of the BB works, was fearfully burned about the face and head. Dales may not be fatally injured, but it is impossible to tell at this time the result. Peter Schafer, a carpenter, has severe and probably fatal injuries to the spine. He lives on Twenty-sixth street, between Mission and Howard, San Francisco, and has a wife and two children. Ferris, first name unknown, a carpenter and partner of Lamb, was severely burned, and has internal injuries. The body of the engineer, Stansfield, was lying face downward, near the door of the main building. The clothing was entirely burned from the upper part of the body. The lower limbs were distorted terribly. The face was badly burned, and a string of clotted blood hung from the lifeless lips. Men who were at work on the dry room when the fire occurred were probably killed by the fall. The bodies of Lamb and Starr were lying in the Pound, burned and blackened so that identification by any marks of feature or countenance was impossible. The bodies were recognized by the remnants of clothing, and by the position in which they were found. Starr is brother-in-law of the Superintendent of of the works, O. B. Hardy. The six Chinamen fell in the midst of the flames, and when the fire had burned over nothing but skeletons remained. Every trace of clothing, skin and flesh was gone. Lamb, whose name is Horace C., is a resident of Temescal, and a very well-known builder. His

partner, W. H. Ferris, who is lying, very severely wounded, resides on Linden street, near Cherry, Temescal. Ferris says he fell a distance of forty feet, and the fire jumped from the main building to the dry room instantaneously, and no chance for escape was given. Dr. W. Hilton, a physician of East Berkeley, went to the scene of the disaster and attended to the wounded men. Other physicians came from Oakland as soon as carriages could take them. The boarding-house of the Vulcan Powder Company has been transformed into a temporary hospital. Koch, Dales and Schofer are lying on pallets made on the floor; Ferris is lying on a cot in the office of the Tonite Powder Company, which is separated from the works of the Vulcan Powder Company by about one hundred yards. O. B. Hardy, the Superintendent of the works, was not present at the time the fire began, but returned in twenty minutes. Men in adjoining works rushed to the rescue as soon as the fire began, and removed the wounded men as best they could. The fire was terribly hot, and it was almost impossible to approach the burning buildings. Whether the engineer and Chinamen were burned to death, or killed by concussion, or by falling timbers is not known.

No one can tell the cause of the fire. It is a mystery. The most probable explanation offered thus far is that the friction at the jig in the granulation was too great, and caused such heat as to ignite the powder which was being worked at the time.

The Vulcan Powder Works Company is an incorporation, of which Sol. Heydenfeldt is President, and Julius Baum is the principal owner. The Superintendent is O. B. Hardy. The loss to the Company will be probably covered by twenty-five thousand dollars, and the works are situated in Contra Costa county, about nine miles from Oakland. They occupy a charming site near the water, on the slope from the hills to the bay. The Stege Station is on the Overland Railroad line, very near the works, to the east of the Vulcan Works, and separated by but a short distance are the Tonite Works. On the west side are the Eureka Works. No damage was done to any of the adjacent mills. The debris from the buildings was not thrown any distance, and the bodies of the men lay where they fell. The explosion, when the fire reached the powder, therefore, could not have been severe. The Coroner of Contra Costa county was notified by telegraph of the terrible event, and took charge of the bodies of the five white and six Mongolian victims of the disaster.

Every man who was at work at the mills at the time of the fire, was either killed or wounded. Not one escaped the fury of the powder. Dales, the foreman of the "BB" works, was burned in the face, and it is very likely that his eyesight is destroyed.

TOWNSHIP NUMBER TWO.

Geography.—Township Number Two is bounded on the north by Townships One, Three, Four and Five; on the east, by Townships Three, Four and Five, and south and west by Alameda county.

Topography. — The topography of this township possesses all the varied scenery of fertile valley, undulating slopes, and high mountains. It embraces the productive vales of San Ramon, Tassajara, Green, Moraga and Lafayette, all of which are enclosed by hills that rise to a considerable altitude, whose slopes are well wooded and sheltered.

Soil.—The soil of this township is not a whit behind that of any other portion of the county, the rich alluvial lands of the level country possessing wonderful properties in the production of grain, while the higher lands afford ample pasturage for stock of every kind.

Products.—The produce of this district is entirely in keeping with those of other portions of the county. Grain is grown in large quantities, the harvest each year apparently increasing; dairying is carried on to some extent; while there is scarcely a house without an orchard, large or small.

Timber. — Before the settlement of the country by Americans, the valleys were covered to a greater extent than they are to-day, with different kinds of trees, such as white and live-oaks, sycamores, besides chemisal and a dense jungle of undergrowth; with the advance of years, many of these prime trees have fallen victims to the woodman's ax, while indomitable perseverance has cleared away the brushwood, and left a park-like landscape, dotted with umbrageous boughs.

Climate.—The climate of the entire township cannot be described as anything but pure; warm days occur as they should, in their proper season; the same may be said of the colder weather. Being within ken of the Bay of San Francisco, the general influence of the sea-breezes, without the strong trade-winds, is felt, while there is hardly any time of the year, from April till October, that out-door labor may not be conducted with profit to pocket and person alike.

Early Settlement.—Township number two has the honor of claiming the second oldest settler in Contra Costa county. In the year 1847 the Hon. Elam Brown, who had gone to the San Antonio redwoods from Santa Clara,

learned that the Rancho Acalanes was in the hands of Wm. A. Leidesdorff, of Yerba Buena (San Francisco), for sale, the Spanish proprietor, Valencia, being in his debt. In due course the purchase of the grant was consummated, and on February 7, 1848, he brought up his family through the Moraga valley, and took formal possession; that same evening, while Mrs. Brown was engaged in preparing the meal, the men were hard at work erecting a temporary covering, fashioned after the most approved pioneer method. With Mr. Brown came his son Clarence, Josiah Allen (a son of Mrs. Brown by a former marriage), Melissa Allen, and Elizabeth Jane Allen. Before this, however, Mr. Brown had disposed of one-tenth of his newly-acquired property for the insignificant sum of one hundred dollars, to Nathaniel Jones, who, about the same time, moved on to the tract.

As we first saw this beautiful locality the young grain had not yet put forth its heads, but all was a magnificent vista of never-ending emerald, from the depths of the valley to the summits of the adjacent hills. Everywhere proclaimed a rare fertility, and promise of large returns. How different, however, must the picture have been that first greeted the eyes of these strangers. The country was rugged in the extreme; wild oats overran both hill and dale, through which indistinct trails found their way in perplexing confusion; traveling was more or less dangerous, for beasts of prey were plentiful, while all around bore evidence of an almost impossible fertility; the most that was looked for was unlimited pasturage for horses sheep, and cattle.

We have, so far, only spoken of the earliest American settler in the township; the original locators, however, were José Maria Amador, who obtained the San Ramon Rancho in 1826, but who had his habitation without the present precincts of this county, in Alameda, and Valencia (mentioned above), who, in the year 1828, was granted and occupied the Acalanes Rancho (at Lafayette), and Moraga, the Laguna Palos Colorados, or Redwood Rancho. About the same time Juana Pacheco, a widow residing at San José, made application for the San Miguel Rancho, whither she sent her nephew, Ygnacio Sibrian, who built an adobe near Walnut Creek, on land now owned by William Rice, and resided in it.

These, therefore, were the original settlers in what we now know as Supervisor Township Number Two. Later, in 1832, Mariano Castro and Bartolo Pacheco made application for the San Ramon Rancho, and occupied a place near where Leo Norris now lives, while, about the same time, a Scotchman named William Welch applied for that tract of land known as the Welch Rancho, and established his homestead near Walnut Creek.

It was thus that the district now under notice was occupied in 1847 when Mr. Brown acquired the Rancho Acalanes. On taking possession, his first care was the construction of a more substantial home than that mentioned above, for which purpose he had brought with him lumber already

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cut and fit for use. This building he first placed about two miles from the present hamlet of Lafayette, on land now occupied by Thomas W. Bradley, but the supply of water failing here, he was compelled to move to some more advantageous site, yet it was not until after the third transference that the place on which Mr. Brown now lives was selected. At the same period Nathaniel Jones was engaged in the construction of his residence, and these were evidently the two first frame buildings erected in the township.

Here, then, were these two pioneer families, located far away from the world, but safely ensconced in a beautiful valley, with every promise of a bright future. Of course, the ordinary commodities of the household had to be procured from a distance, the nearest point being San José on the one hand, and Yerba Buena on the other. The first was a journey by land and the more readily undertaken, to reach the last the Bay intervened and acted as a determent. To the first named place the trip was by ox-team, but more often on horse-back, through the San Ramon valley, past the residence of José Maria Amador, and out at the point where the town of Haywards now stands, and thence on by the Mission San José to the Pueblo, where Dr Stokes, and a year or two later Charles M. Weber, had well-stocked stores. With the establishment of a household, Mr. Brown, now true to his instincts, commenced to test the capabilities of the ground for farming purposes. In the Spring of 1848, he sowed some acres of wheat and barley—the Spaniards had before this sowed some very small quantities—all of which he had to transport to Sainsevain's mill at San José to have turned into flour. Mr. Brown, in the year 1849, bought a horse-power mill at Benicia, and erected it near his house on the land now occupied by Mr. Bradley, and thus saved this journey. In the Spring of this year, too, Mr. Jones commenced the artificial beautifying of his home, by planting those fine, large locust trees which now give the name of Locust Farm to his place of residence. These are the product of seed brought to the country by Major Stephen Cooper, of Benicia, in 1846, and subsequently presented to Mr. Jones.

From the foregoing it will be acknowledged that the pioneer families of Township Number Two were those of Hon. Elam Brown, and Nathaniel Jones. The country in its general aspect has been greatly changed since their arrival, especially in the matter of ditches, many of these which now are of considerable magnitude, being then mere drains. The prime cause of this we believe to have been the breaking of the upper crust of the soil by the tramping of stock, which increased in numbers year by year and consequently caused the greater damage as their hundreds were changed into thousands.

Here then were these gentlemen left "monarchs of all they surveyed," until the discovery of gold. At this period that vast horde of immigrants, who had left their homes in the Atlantic and other States to the potent

shibboleth of gold, commenced to find their way into the fertile valleys and metal-producing gorges of California. Nearly all took a turn at the mines, some to amass wealth, others to be plunged into irretrievable ruin of mind and body. Happily, among all these, there were some with home instincts still left in their bosoms, who sought out the valleys pregnant, too, with wealth, but of a different nature, and fixed their abodes in what was then a solitude, but which by their own industry, and the unremitting labor of others, has, to-day, become a fruitful and populous country, still holding out promise of yet greater productiveness.

First among these to settle in Township Number Two were Leo Norris and William Lynch, in the Fall of the year 1850. They came to the San Ramon valley, and took up the land now occupied by them. Here they found a branch of the Soto family residing in an adobe house then standing about a hundred and fifty yards from the site of Mr. Norris' present residence, and which they occupied by permission of the Amadors. They only remained, however, for a month or two after the arrival of Mr. Norris. In the month of September, 1850, Messrs. Norris and Lynch erected the house now occupied by the former, which was the first frame building put up in the valley, the lumber for which was brought from the redwoods of San Antonio. As there were no roads, its transport from there to San Ramon by way of Mission San José, Suñol valley, and the spot where now the village of Dublin is planted, was a tedious undertaking, but all was surmounted, and the dwelling completed in time to be occupied before the Winter had set in. In the Spring of 1851, these energetic pioneers put in the first crop in the valley, on land now owned by Mr. Lynch—about twelve acres of barley which yielded one hundred and ten bushels to the acre. That same season a field was fenced by them with willows procured from the banks of the adjacent creek, the saplings, some of which were never removed, having in the intervening years become handsome trees of goodly proportions. These may be seen still standing to the rear of Mr. Lynch's house lot. In the same year, but later, a Mr. Russell located near the head of the valley, on land that has since been divided up, but a portion of which is now occupied by Elisha Harlan. In a conversation with David Glass, who occupies a handsome dwelling near the head of the valley, we were informed that in the month of November, 1850, he settled about a half a mile from where the town of Walnut Creek now stands, on land at present in the possession of A. D. Briggs. At that time a man named William Slusher lived in a little cabin near where the Walnut Creek House has since been erected, while Alexander Boss resided where now dwells William Rice, and there cultivated some vegetables. The Francisco Garcia family lived near the present residence of Col. Stone, in the vicinity of Alamo, while not far from there were other Spaniards dwelling, who were interested in the San Ramon Grant.

By the year 1851 those individuals who had been to the mines, and had felt the blessings of the "glorious climate of California," came down from the gold-producing mountain gorges, spied out the land, took up claims, and returned whence they came. Of course, it has been impossible to keep track of who these were, or where they located; they were simply birds of passage, who knew no other permanent roost but the mines. In this year, however, one man, named John R. Boyd, located on what is now popularly called the Railroad Ranch, but how long he remained there we have been unable to gather. In Sycamore valley there settled in 1851 Leonard Eddy on that tract of land at present owned by Hon. Charles Wood, while in the Tasajara valley there located about the same time Abner Pearson, and the Gillett brothers, who in the following year raised a crop of grain on the farms now owned by John Johnston and Harrison Finley. On that portion of the San Ramon Grant, now occupied by Mr. Hemme, there lived, in 1852, a Mr. Sweitzer, who it is presumed located there during the previous year. Where Mrs. Jamieson's house now is, there settled in 1851 one Francisco Otoya.

On October 8, 1852, D. P. Smith located a little to the east of Alamo, but moved to his present property the year after. When he came to the township there were only four houses between what is now the village of Alamo and the county seat at Martinez; these were, the shanty already noticed as being occupied by David Glass, the next was the residence of Elwell and Wall on the Biggs place, the old Welch house, and a building near Martinez in the possession of M. R. Barber. In that same year there located, on the stream southwest of Walnut Creek, Josiah Shafer, James Bell, Daniel Seeley, William Comstock and Zelotus Reed. There came also about the same time Carroll W. Ish, who took possession of the little house a short distance above the mansion of August Hemme, while John Smith, a Scotchman, resided on the land now owned by William Hemme, a nephew of August Hemme, to the south of Danville, and William Chick dwelt on the land now owned by James M. Stone. In this year Henry Russell went to San Ramon with Samuel Russell, and now lives near Leo Norris, on the way to Haywards. John P. Chrisman resided on the creek above Danville, where now lives Thomas Flournoy, while in the Tassajara district Philip Mendenhall occupied a portion of the land now in the possession of Hon. Charles Wood. Further up the valley, on the Sycamore creek, Wade Hayes lived on Bell's land, Francis Matteson was located where he now resides, and on the Tassajara road there were Mark Elliott and Wilson Coats on their present places, and Levi Maxey. On a portion of the present property of Mr. Flournoy there dwelt a Dr. Watts, while in the same year Horace W. Goodwin settled on the place now occupied by Mr. Coats. In the month of September of this year Benjamin Shreve came to Lafayette. In October R. O. Baldwin visited the San Ramon valley, and being impressed with its

beauties, he, therefore, in partnership with William Meese, purchased three hundred acres of land, which they have since divided, the old friends being now next-door neighbors. On their arrival they found two brothers, Alexander and Henry Moore, in possession of a large tract of land, engaged in stock raising, and residing in the house now occupied by Albert Young; while, in Walnut Creek, there located about the same time the Sanford family, Erastus Ford, who arrived in Martinez in 1850, Benjamin Hodges and William Wells.

In the year 1852, David Glass started a small trading-post on the place now owned by Hon. A. W. Hammitt, which was patronized by the settlers in the country round, and is supposed to be the first store in the county opened outside of Martinez. The fate of this little mart was as follows: In 1855, Mr. Glass disposed of his stock to Henry Hoffman, who transferred it to, and opened a store at the place where the village of Alamo has since been built. In this year, too, on the same property, Mr. Glass planted the first orchard in San Ramon valley, the trees having been obtained from Oregon, while, to this year, is the honor of building the first house in the village of San Ramon, which was constructed by John White, and is now the residence of George McCamley. It may be remembered that one William Slusher occupied a cabin near the Walnut Creek House; in 1852 we find that it belonged to George Thorn, who had purchased it, its original owner leaving the district. In this year, too, we have the establishment of a school-house at Lafayette, and another in the San Ramon valley. The latter stood at the foot of the eminence known as Cox's hill, near the village of Limerick (San Ramon), while another, at a very early date, was taught by one Sylvester Degan, near a clump of oaks on Leo Norris' land. Mr. Degan, upon the abandonment of this last seminary, became the preceptor of the first mentioned institution.

In the year 1853, Socrates Huff and L. C. Wittenmyer came to the Isaac Russell place, while B. Alcorn located next to Mark Elliott. Felix G. Coats, too, came in this year, as did also three men named Jones, Lane and Beemer, on the Jenkins place. In the Summer of this year Milo J. Hough came to the township and first settled at Lafayette, where he found among others there located, Hon. Elam Brown and family, Nathaniel Jones and family, James H. Gorham and family, and George W. Hammett and family. He here, too, found in the course of construction by "Squire" Brown, a grist-mill, which commenced operations in that Fall. It stood about seventy-five yards from the present hotel, on the site now occupied by the store and residence of Benjamin Shreve. That same Fall, Mr. Hough located a hotel in that hamlet. About the same time there settled in the district, David Hodge and family, on the stream known as Release creek, as did also Isaac Hunsaker, Wesley Bradley, Ira True, Dr. Turner, John W. Jones, Sol. P. Davis, near Pacheco, and several others whose names are now unremem-

bered. To the San Ramon valley, in the year 1853, there came William W. Cox, while to Green valley was William Z. Stone, and to the vicinity of Walnut Creek, John Baker.

Besides these mentioned above, we have since learned that there were living in the year 1853, in Township Number Two: Richard Fergusson, on the land adjoining Messrs. Baldwin and Meese; at the time August Hemme was in partnership with Wade Hayes; Andrew and Daniel Inman, Henry Seymour and Jesse Bowles were in Green Valley, on the place now occupied by L. L. Boone; "Old Man" Mitchell, with his wife, and Isaac N. B., and John Mitchell settled in San Ramon, on the tract adjoining that of Erastus Ford; James M. Thomson also located, and at that time resided in a frame house near the San Ramon creek, a few hundred yards north of the present village of Alamo; John McDonald settled in Green Valley, on the land now occupied by J. P. Chrisman; James M. Allen built a house in the "Willows," adjoining the property of E. H. Cox in San Ramon valley.

In the year 1852 there settled in the San Ramon valley Joel Harlan, who died March 28, 1875. He had been a prominent resident of the county for several years, and arrived in the State in 1846. During the session of the first Legislature Mr. Harlan and his family were residing not far from San José, and on the organization of counties his dwelling fell within the limits of Contra Costa, as then established. Purchasing a tract of land a year or two subsequently, he erected a house in the Amador valley, but on the creation of Alameda county, mainly from the territory originally comprised in Contra Costa, one of the points defining the boundary line between the two counties was *the house of Joel Harlan.* The building was always considered to be on the Contra Costa side of the county line, but it was removed or demolished in 1857, when Mr. Harlan removed to the handsome property on which his widow now resides.

Of those settlers who came to the township in the year 1854, we have the name of William Hook, who had lived for a short time in Martinez, during the previous year, engaged in mercantile pursuits, and in the year under notice purchased the property on which he now resides, while in January of that year James M. Stone settled in the vicinity of Danville. In the Fall of 1854 Jesse H. Williams took up his residence, where he now lives, in the vicinity of the Moraga valley. He there found in that locality William Southard, living on the place now occupied by Dennis Flynn, on the property of Horace W. Carpentier. Jackson Gann had a place in the Redwood cañon, and his brother, Wilson Gann, dwelt about half a mile from the store that had then been recently opened by John Courter; Jack Allen resided on the San Antonio (now Oakland) road, while there was a man named Inmer, located near the "Tule Patch," which later in the year was bought by Edward Curry, who took up his residence thereon. Besides these, George and David Meacham were on a place on the road to Walnut

Creek, where it joins that to Oakland, and not far from him was John Merrill. Across the Moraga creek, between the store and the redwoods, lived William Brown, a preacher, well known in those early times, while on the banks of Walnut creek there dwelt Phineas Harrington and Daniel Hunsaker.

We have mentioned the store at Moraga: in the Spring of 1854 John Courter opened it, conducted it for four or five years, and admitted several partners into the concern, finally disposing of the whole stock to Lewis Mason, who, dying, a man named Wilkie managed its affairs for the widow. The business was sold subsequently to Lawrence G. Peel, who in turn disposed of it to one Harrington, who closed out in the Spring of 1872. This store was the first frame house built in Moraga valley.

In the year 1854 the nucleus of the village of Alamo had been formed. Two stores were then in full operation, one kept by George Engelmeyer, the other by S. Wolf & Co., the latter being the first built; while, at this period, besides the school-house already mentioned, a Cumberland Presbyterian church stood near it on Mr. Hemme's land. This building was afterwards moved to Alamo, towards the end of the year 1875.

In the Fall of 1855 Milo J. Hough, who we have said located in Lafayette, and built a hotel there in 1853, removed to where the village of Walnut Creek now stands, and there built a hotel on the north side of the creek, at the entrance to the town, on the lot now occupied by the widow Shannon. It was twenty-four by forty feet, and in it was opened the first store in Walnut Creek. The hotel, which was known by the name of the Walnut Creek House, was destroyed by fire April 5, 1867, thus removing one of the old familiar landmarks of the county. To the Moraga district there came in 1855, Franklin Hostetter and David Carrick, who located on Walnut creek, while in the same year a school-house was opened on the site of the present seminary, and taught by Philip Sage, services being held in the building by Parson Brown, whom we have mentioned above. On November 10, 1855, that well-known resident of Danville, Thomas Flournoy, settled on his present property, while, in the same year, the present estimable proprietor of the Rogers Hotel, in Walnut Creek, W. B. Rogers, settled in the San Ramon valley. In the Fall of that year Joshua Bollinger took up his location in the cañon to which he has given his name, and John Johnston settled where he now resides, having purchased the land from Abner Pearson and the Gillett brothers.

In the month of May of the year 1856, Albert Sherburne arrived with his family in the county, and settled on a farm owned by his brother, Hon. D. N. Sherburne, in the San Ramon valley near the Cox place. Mr. Sherburne has since then resided in Sycamore valley, and is now a prosperous resident of Walnut Creek, where he for several years conducted a store. Nathaniel S. and Chas. E. Howard also came to the township in this year, and located where they now reside, about two miles from Danville.

In this year, or the previous, but certainly about that time, a school was established on the site of the blacksmith shop, south of Mr. Glass' store, at San Ramon; while, about the same period, orchards were first planted in the Tassajara and Sycamore districts. About this year Lawrence G. Peel, who, having disposed of his business at the store in Moraga valley, removed to Walnut Creek and opened a store there, which he conducted until his death in 1869, when the business was purchased by Albert Sherburne. This establishment stood on the place now occupied by Antone Silva, the original store with its internal fixtures still standing.

Among those who settled in the township in 1857 were C. B. Nottingham, who had resided in different portions of the State since 1851, and came from San José to his present place in the Fall of the year. In this same season came also James Foster, a most respected citizen, who pitched his tent in the then thriving village of Alamo, where he opened a wheelwright shop, and followed his calling for twelve years, while John Larkey took up his residence near Walnut Creek during that year.

In this year the first school in the Sycamore district was opened in a house that stood near the residence of Mark Elliott, while buildings were springing up in every quarter.

First among the settlers to arrive in the year of 1858 was Albert W. Stone, who purchased his present valuable farm in the month of January. He was followed by J. C. Peterson, F. L. Hamburg, at Alamo; Michael Kirsch, at Walnut Creek, and ex-Sheriff M. B. Ivory, in Green valley; the last gentleman now residing in the "Stone House," in Township Number Five.

During the year 1859, we have not been able to gather the names of any new-comers, though of course there were several who settled in the township. We learn that the Hon. D. N. Sherburne moved at that period into the Sycamore valley, to the place on which he has since built his very elegant mansion.

On June 6, 1859, there occurred near Lafayette one of those distressing events, that though unseldom, when they are first announced send a thrill of horror through a whole community. The calamity to which we refer was the death of Mrs. Robert S. Linville and her two children by fire. It would appear that whilst Mr. Linville, in company with a hired man, was engaged a short distance from his house in milking cows, he discovered that his house was on fire. On reaching his dwelling he found it completely enveloped in flames, his wife upon the ground a few yards from it with her feet in a spring of water. Her clothes were entirely burnt off. She endeavored to inform him of the cause of the fire, but could only articulate the word "lamp." Mr. Linville made an effort to rescue his children—one of whom was about three years of age, the other two months—but his efforts were fruitless, and thus the bereaved husband and father

saw those dearest to him perish (the mother dying about an hour after in extreme agony) in the flames without being able to succor them.

On October 19, 1859, the corner-stone of an academy was laid, under the auspices of the Contra Costa Educational Association. It was a large three-story building, situated about a mile and a half south of Alamo, nearly opposite Mr. Hemme's present residence, and was first placed in charge of Rev. David McClure, Ph. Dr., now Principal of the California Military Academy at Oakland. This gentleman was succeeded by Professor J. H. Braly, at present of the State Normal School at San José, who in turn was followed by a Rev. Mr. King, under whose administration it was destroyed by fire, and never rebuilt. It had a short life, and died a natural death; it was too far in advance of the times and the wants of the community who then resided in the beautiful San Ramon valley. Let us hope that the new institution at Danville, now being talked of, may share a better fate. Of the first we may say: "*Quieta non movere. Requiescat in pace!*"

In the year 1860 Daniel Seeley located in Alamo, James M. Stow in Danville, William Rice on the place where he now resides near Walnut Creek, and George W. Yoakum in the Morago Valley, besides many others whose names we have not learned.

From the above date the settlement of the township has been rapid, the broad acres, hitherto unreclaimed, being put under contribution by the horny-handed sons of toil who had established themselves on its fertile bosom. In an almost incredibly short space of time, handsome homesteads commenced to rise from the wild oats, and the valleys began to assume an air of true civilization; with what result, it is unnecessary for us here to state; these efforts speak for themselves; let the prosperous fields, orchards, and gardens tell their own tale.

We find that on April 22, 1860, a Catholic Church in San Ramon valley was dedicated, under the invocation of San Ramon; while such was the progressive feeling in Lafayette, that a library association had been formed there.

In 1861 a newspaper, called the *Pacific Cumberland Presbyter*, under editorial charge of Rev. T. M. Johnson, was published at Alamo; while, during the following year, 1862, we learn that the cultivation of tobacco was successfully undertaken by Messrs. Stout & Peden. On March 8, 1863, there died near Lafayette, at the age of seventy-one years, Stephen Jones, an old pioneer. This gentleman was the father of that well-known argonaut of the county, Nathaniel Jones, was a native of Virginia, and came to California from Illinois in 1853. October 8, 1864, a stage-line was opened by Brown & Co., of Lafayette, between Walnut Creek and Lynchville (Limerick, or San Ramon), and connecting with the Oakland line. Nothing of particular local historical interest would appear to have

occurred during the next few years. We have already noticed the burning of the original Walnut Creek House, April 5, 1867. On March 30th a railroad meeting was held at Walnut Creek, when the substantial interests of the county were well represented, and much interest manifested in the proposed undertaking of providing railroad communication for the interior of the county; and in November the new school-house at San Ramon was completed. In 1868 we have nothing to record; but on April 30, 1869, there died, at his residence near Alamo, John M. Jones, who had lived in the vicinity about sixteen years. His burial took place under direction of the Masonic Order, on May 1st, and was attended by a very large concourse of people of the county, desirous of paying a last token of respect to an esteemed citizen.

During the year 1870 we can find nothing to relate. On Sunday, April 30, 1871, a serious affray occurred in Moraga valley, that resulted in the arrest of James Steele and Mr. Yoakum on the charge of assault with fire-arms upon several members of the Moraga family. It was reported at the time that fifteen or twenty rifle shots were fired by the assaulting party, three of the shots taking effect upon and killing a horse ridden by one of the Moragas. The affray arose out of a dispute as to the rightful possession of lands originally owned, and until a short time before the disturbance, occupied by the Moragas, but since then claimed by Carpentier and Yoakum under judicial decrees. The bitterness remained; the trouble had not ceased. On April 27, 1872, Isaac Yoakum was shot, but it was a matter of doubt if the offense was comitted in Contra Costa or Alameda county. It appears that on Thursday, April 25th, a poundmaster, whose corral was about four miles on the Alameda side of the Moraga valley, came to Yoakum's residence in Brooklyn, and informed him he had sixteen head of his (Yoakum's) cattle confined. On the following day Yoakum proceeded to release the cattle and drive them back to his ranch in Moraga, aided by the poundmaster. They were both armed, but had not traveled far when Yoakum was shot at. The place of shooting was near the milk ranch then occupied by a man named Lipskin, about three miles and a half from the Moraga store. Three shots were fired. The first took effect, hitting the old man in the right thigh, about six inches above the knee, but making only a flesh wound. While seeking the shelter of a gulch close at hand the second shot was fired. The third was fired at him while peeping out of his hiding place. Yoakum asserted that several persons were engaged in the shooting, one of whom he recognized. He said that the men on the milk ranch refused to come to his assistance when requested, and he had to remain in the gulch some time, his wound bleeding considerably. Finally, he was helped into a milk wagon, where he was made as comfortable as possible, and conveyed home. Still the difficulties continued; hard words, and still harder blows were exchanged; one Silverio Monjas lost his life at

the hands of George Steele, July 8, 1871, a full account of which will be found in our chapter on Homicides; while, June 14, 1873, Miss Gumecinda Moraga sued Isaac Yoakum, in the Third District Court, for the sum of ten thousand dollars damages, for an assault alleged to have been committed during the difficulties.

On May 12, 1872, a new church intended for the Methodist Episcopal denomination was dedicated at Walnut Creek, while, on February 1, 1873, a meeting of citizens interested in railroad communication was held at the same place. There died at the residence of his son, James M. Stone, in San Ramon valley, on September 4, 1873, at the advanced age of seventy-nine years, Elias Stone, a native of New York State, a veteran soldier who served his country in the war of 1812–15, and was present under General Scott at Lundy's Lane, and other engagements. The residence of W. D. Boone, situated about half a mile east of Danville, was totally destroyed by fire, together with all its contents, on October 20th of this year; and, as we have mentioned elsewhere, the late Joel Harlan was gathered to his Father, March 28, 1875. During the last week of the month of October, 1875, the Presbyterian Church at Danville was commenced and the corner stone laid with impressive ceremonies, it being dedicated June 18th; while, about the end of the year, the old Cumberland Presbyterian Church on the original site between Alamo and Danville, was removed to the first-named town. About the month of July, 1876, August Hemme had commenced the erection of his present magnificent mansion. Mr. Hemme was one of the early San Ramon resident farmers, who sold the property on which he has now built, and removed to San Francisco some dozen years previously. Having prospered greatly in a financial way, he re-purchased the place he formerly owned, together with several hundred acres of adjacent San Ramon land, on which he has constructed the architecturally handsome edifice mentioned above.

From the foregoing remarks it will be seen the progress that these years of American occupation have brought upon this township. It will be readily appreciated by the reader how impossible it is for us to record fact for fact as it occurred, and name for name as their possessors arrived to locate. The memory at all times is but a frail reed whereon to bear the weight of one's information, yet to it chiefly do we trust, and such names as may be recollected by the pioneers whom we consult are the only ones that we dare mention.

ALAMO.—This village is situated about two miles north of Danville on the San Ramon creek, and has but little of its former activity remaining. At an early date, however, the little place boasted of a large trade with the Spanish population, and soon two stores were opened, the first by Henry Hoffman (afterwards Wolf & Co.,) and the other by George Englemire. In

M R Barbier

1854 these two buildings composed the village, Wolf's store being the growth from the stock purchased by Henry Hoffman from David Glass, in the year 1853, and was in its establishment the only store of any pretensions between Martinez and Mission San José. It first was conducted in a portion of the building now occupied as Henry's Hotel; the other store stood on the opposite corner, where the road to Mount Diablo intersects the main county highway. The third house to be erected was a brick store for Wolf & Co. on the opposite side of the county road, where he kept also, in a small way, a house of entertainment. In the course of a year or two Henry Hoffman severed his connection with the Wolf store—when it was removed to Danville, in 1858—and remained in Alamo keeping hotel for several years. His partner in 1859 was William Maxey. Some attempt would appear to have been made in this year to instil life into the little burg, for we learn that the Contra Costa Educational Association built a large three-story academy near its precincts, and opened it under the charge of Rev. David McClure, now of Oakland. This glory, however, was short-lived; fire destroyed the building in 1868, and it was never rebuilt. In the month of March, 1861, the town boasted a newspaper called the *Pacific Cumberland Presbyter*, edited by Rev. T. M. Johnson. In noticing its first number, the *Contra Costa Gazette* remarks: "The articles are generally of a religious character, and it is a theological publication. As far as we have examined, we should judge the subjects to be well handled and sufficiently varied for a work of that class."

Alamo is the Spanish name for the Poplar, a species of tree found in large numbers in the valley, and creeks which flow through it, hence the name of the village. It now comprises a hotel, a store, a few shops, a school house and a Presbyterian Church, which originally stood on the road between Alamo and Danville, but was removed to the former in December, 1875.

DANVILLE.—This pretty little village takes its name from Dan. Inman, who owned the property on which it now stands. About the year 1858 a hostelry was opened by H. W. Harris, at the junction of the Tassajara and county roads, to which he gave the name of Danville Hotel, and as a blacksmith's shop and store were added, the little cluster of houses assumed the patronymic of the caravansarie, by which it is still known. The town site was never surveyed into lots, but as necessity called for it, Dan. Inman disposed of them. In this same year, 1858, S. Wolf, M. Cohen and Henry Hoffman, having dissolved the firm of Wolf & Co., Mr. Cohen removed to Danville, opened a store there, and built the second house in the village. Here he conducted his business in the old house until 1864, when he erected the present edifice.

Twice in her short existence has Danville been visited by the forked tongue of the fiery fiend; on July 9, 1873, the Danville Hotel, mentioned

above, succumbed to the devouring element, and again in the month of October, when the house of W. D. Boone was destroyed.

The little town at present contains among other buildings the handsomest church building in the county, an exhaustive history of which, written for us by Rev. R. S. Symington, the present pastor; a Christian Church; a flourishing school, a capital Granger's Hall; a good hotel; two excellent stores; and a number of pretty residences. Its rather crooked main street ever displays an air of business, while its surroundings are wonderfully lovely, as it is guarded by that grim old sentinel, Mount Diablo, whose form, as seen from here, is noble in the extreme.

DANVILLE CHURCH.—The following history was supplied us by Rev. R. S. Symington, of Danville, and is produced *verbatim:* The first Presbyterian services in San Ramon valley were conducted by Rev. D. McClure, who commenced his labors in A. D. 1857. In the year 1859 he built a Seminary in the valley, and after that devoted most of his time to that enterprise. No church was organized under his ministry.

In February, 1863, Rev. R. H. Avery came to the valley. The first year he held services in Pacheco, San Ramon and Green valley; the second year he extended his labors to Antioch. On the 10th of July, 1865, he gathered together the scattered members of the church, and with the assistance of Rev. H. S. Huntington, organized the "Contra Costa Presbyterian Church."

The following named persons were the organizing members, to wit: James R. McDonald, David Hall, Elias Kinsey, Charles H. Sears, James McHarry, Mrs. E. K. Avery, Mrs. Eliza Grothie, Mrs. Elizabeth Prince and Mrs. Gregory. Mr. Elias Kinsey was at the same meeting elected and ordained a ruling Elder, and this little band of disciples sat down for the first time together at the table of the Lord. Having no house of worship, and the members scattered from San Ramon to Antioch, the session met wherever it was the most convenient; sometimes in the pastor's study, sometimes in the school-house and sometimes in a private dwelling. During the same year the church was much discouraged by the removal of Mr. James R. McDonald and David Hall, but before the end of the year they were greatly strengthened by the addition of Mrs. Sarah Young, Mr. C. W. Boyers and Mrs. M. A. Boyers, his wife. In 1867 the session received Mrs. Carrie Penniman and Mrs. Webb from the Congregational Church, and Mrs. Panthy C. Meese on examination. At a meeting held in Danville, in 1868, the session received into the church, Jonathan Hoag and Mary Hoag, his wife, Mr. Joseph Wiley and Nancy Wiley, his wife, James McClelland and A. B. Hoag, Mrs. Helen Vincent from the Methodist Episcopal Church, and David Glass and Eliza Glass, his wife, from the Cumberland Presbyterian Church, Mrs. Jane R. Watson from the Scotch Presbyterian Church, Mrs. Mary A. Young from Brooklyn Presbyterian Church, and Mr. A. J. Young, Lizzie Hoag and Hugh Wiley upon examination. The congregation, after proper

notice, met in the Danville school-house, May 14, 1871, and elected Bros. J. Wiley and A. J. Young Elders, and on the same day they were ordained. Rev. H. R. Avery having accepted a call from the Tomales Church, his connection with this church ceased May 14, 1871. While we rejoice in the enlargement of our beloved Zion, we rejoice with trembling; for of the thirty-four received during the nine years of Bro. Avery's labors, only thirteen remained when he left. Thirteen received letters of dismission, four were lost sight of, and four had gone home to glory.

After Bro. Avery left, the session secured the services of Rev. James L. Wood, a licentiate of the Presbytery of San Francisco, for a term of six months, terminating January 1st, 1872. In 1874 the session employed Rev. Ed. Verrue at a salary of nine hundred dollars, four hundred to be secured from the church, and five hundred from the Board of Domestic Missions. At a meeting held July 5, 1874, at San Ramon, considerable religious interest was manifested. Four persons united with the church upon profession of their faith, and others were interested. The pastor was assisted in this meeting by Rev. Stonall and Rev. Mesern. Up to this period no effort had been made to build a church. In September, 1874, the session called a meeting of the congregation to assemble at the house of Bro. Joseph Wiley October 1, 1874. The congregation met according to appointment, and after considerable discussion, "concluded not to build at present." The congregation concluded to retain Bro. Verrue one year longer, without specifying the amount of his salary, and applied to the Board of Domestic Missions for five hundred dollars on his behalf. Another meeting of the congregation was called to meet at Bro. Wiley's June 2, 1875, at four o'clock, P. M. This meeting was well-attended, and, after mature deliberation, it was unanimously "*Resolved*, to proceed at once to the erection of a house of worship at Danville." A subscription paper was circulated, and four hundred dollars were subscribed. The Presbytery of San Francisco met in Danville June 7, 1875, and recommended this church to the Erection Board for the sum of six hundred dollars, to assist in completing the building. A fresh impetus was given to the work, and the subscription was raised to fifteen hundred dollars. A committee was appointed to select a site and report when called on. July 16th, same year, another meeting of the congregation was held at Danville school-house, and all persons interested in church matters were requested to attend, and their aid and counsel were solicited. As the church was located at Danville, the Presbytery was requested to change the name from Contra Costa Presbyterian Church to Danville Presbyterian Church.

The congregation adjourned, to meet June 23d, 4 o'clock P. M., at Danville. According to appointment, the congregation met at the Danville School-house, and elected the following persons Trustees of Danville Presbyterian Church, to wit, J. J. Kerr, R. O. Baldwin and David Glass. After

adjournment, the Trustees met, and elected J. J. Kerr, President and R. O. Baldwin, Treasurer. In accordance with the laws of California, articles of incorporation were filed at once; Charles Giddis, Architect of San Francisco, submitted a plan and specifications to the Trustees, which were accepted, and the building was let to C. E. Dunchu, at the sum of $3,000. As Brother Verrue's term would expire in December, it was thought proper to make arrangements to have it supplied. It was thought by many that the religious element of the community could be so combined as to unite in the support of one minister. A meeting of the citizens was called; an invitation was extended to all, male and female, to meet at Danville Schoolhouse, August 29, 1875, to consider this subject. At that meeting there was a general attendance, and great unanimity prevailed; and as no one denomination could give a minister a competent support, it was "*Resolved*, to *unite* on the one who got the largest number of votes." And to remove all difficulties in reference to salary, and definitely settle this matter at the beginning, it was "*Resolved*, to place on the ballot the amount each one was willing to give; and no matter who was elected, the voter was bound to pay this amount to the pastor elect." The ballot was cast, and Reverend R. S. Symington, of San José Presbytery, was elected pastor. Since the appointments heretofore had been scattered over a wide scope of country, and had consequently accomplished very little for the cause of Christ, it was "*Resolved*, that when the church building is completed, the pastor shall hold services in it every Sabbath, at 11 o'clock A. M., except the fifth Sabbaths in the months." It was further "Resolved, that the pastor's salary be $1,200, to be paid quarterly, in advance." When Brother Verrue closed his connection with Danville Church, there were, in good and regular standing in it, but thirteen members—one of this number, Brother David Hall, was soon called to join the Church Triumphant, leaving but twelve. With this little flock scattered far and wide, with the Herculean task of building a costly house of worship on their hands, and not one-half of the money subscribed to pay the original contract for building it, with strong men, thinking men, the sons of Anax all around us, saying, "What will these feeble Jews do?" the whole field wore a gloomy aspect. But the precious promise, "Fear not, little flock, it is the Father's good-will to give you the Kingdom," cheered the little band, and they cheerfully worked on. There were two things especially encouraging: a live Sunday-school, and nobody seemed discouraged. Go where you would, every man, woman and child seemed cheered with the hopes of a bright future. On the first day of October, 1875, the corner-stone was laid, with proper ceremonies; and on the eighteenth day of June, 1876, the building was dedicated to the worship of God. On a careful examination, the Trustees found they had incurred a debt of $2,500. The congregation resolved to pay every dollar of that amount before solemnly dedicating the house to the worship of God.

On the day of dedication, before the services commenced, a statement was made of the condition of things, and an earnest appeal was made to the vast assembly present for help to pay the debt—and a noble response was made. Men of ordinary means came forward, and subscribed from $50 to $250; till all was subscribed but $165. Here they seemed to hang. Every man had given all he could give. What could be done? Another appeal was made. The minister was in the pulpit, ready to commence the services; the choir was waiting to commence that grand anthem, "Lift up your heads, oh ye gates! and the King of Glory will come in." There was a painful silence for a few moments. A gentleman who had been watching the whole scene with marked interest—who was a member of the Baptist church, and resided some distance from the church—broke the silence by saying: "Clerk, tell them the debt is paid." It thrilled, like an electric shock, the whole audience. Eyes unused to tears, wept for joy—"and there was great rejoicing throughout all the camp of Israel." It was the happiest day ever known in Danville. The services were peculiarly interesting; and though the house was packed to its utmost capacity, and the services much longer than usual, yet marked attention continued to the end.

The building of this house of worship is an epoch in the history of this church. It locates the interests of this people. It is a home for the Christian's soul. It is a moral educator. It stands with its spire constantly pointing to Heaven, every day bearing its silent testimony for God. Every traveler marks it. Every journal in the land notices it. Every pious man seeking a home is influenced by it.

The session of the church, anxious to harmonize the whole community, made an appointment at San Ramon, a village three miles from Danville, and as the Sabbath School met every Sabbath at eleven o'clock, they made the appointment at ten o'clock there, and at twelve o'clock at Danville. This seemed to satisfy all parties, and the work went on smoothly for two years, and the "Lord added to the church daily such as shall be saved." In September, 1877, a meeting was held in Cox's Grove, and seven persons joined the church, and a good religious impression was made on the surrounding community. At the close of the second year the session thought that the interests of the church demanded a different arrangement. The congregation at Danville seemed lessening, interest in the Sabbath School was going down and they felt that something must be done. They therefore resolved to change the hour for services at Danville, from twelve to eleven o'clock, in accordance with the original resolutions made when they determined to build a house of worship, and make the appointment at San Ramon school-house at any time in the day except eleven o'clock. This did not meet the wishes of the people of that vicinity, and six persons asked for letters of dismission, which were granted. After some time they organized a Methodist church and their connection with this church ceased. This

cast a gloom over the whole Church. A short time after this five of the remaining members asked and received letters of dismission to unite in organizing a Presbyterian church at Walnut Creek, thus cutting down our membership to a mere handful again. In their discouragement the session called a meeting of the church, March 12, 1879, for consultation and prayer to Almighty God for wisdom and help. Up to this time there had been no Deacons in the church. It was determined therefore to elect and ordain one Elder and two Deacons. The ballot was cast in favor of V. Craig, Elder, and J. T. Reed and Hugh Wiley, Deacons, and on the following Sabbath they were ordained. They also resolved to hold a protracted meeting in the following September, and in the meantime to pray for the special influence of the Holy Spirit upon the people. At a meeting of the Session April 6, 1879, the following question, sent down from the General Assembly to the Presbyteries, was discussed, to wit, "Shall representation to the General assembly be reduced?" Our representative to the Presbytery was instructed to vote in the negative. The protracted meeting commenced September 27, 1879. A pavilion consisting of a kitchen and dining-room was constructed, two China cooks were employed. Mrs. A. Hemme presented the church with four full sets of table furniture, a cooking-stove and apparatus, the people supplying provisions.

Lunch was served every day at twelve o'clock, and for those who resided at a distance, arrangements were made for tea and remaining all night. Services commenced at eleven o'clock. At one o'clock, Praise meeting in the audience room; young people's meeting in one of the parlors of the church, and female prayer meeting in the parsonage, and public services at seven and a half o'clock, P. M. This meeting continued twenty days. Twenty-six persons united with the church. Christians were greatly revived, and the whole community greatly improved. These meetings have been continued every year since and with like results. To this people this is the Feast of the Tabernacle. An impetus was given at this meeting that carried the church over its embarrassments, and from that time forward to the present its condition has been uniformly prosperous. The Board of Home Missions kindly assisted this church till 1879, when it declared itself self-supporting. In 1880 J. T. Reed returned to the Eastern States, leaving but one Deacon to attend to the financial business of the church. On the 7th of November, 1880, the congregation met after due notice had been given, and elected R. O. Baldwin, to the office of Deacon, and on the following Sabbath he was duly ordained.

The present pastor, Rev. R. S. Symington, commenced his labors January 1, 1876. At that time there were thirteen members in good and regular standing in the church. The foundation of the church edifice was laid; a subscription of fifteen hundred dollars was all that could be raised to pay a debt of thirty-five hundred. Since that time (a period of six years and

four months) the building has been completed, the debt paid, the church furnished, carpeted and cushioned. The Session has received to communion in the church one hundred and twelve persons, eighty of this number have been upon examination, thirty-two by letter, (some of those received upon examination had once been members of some church, but had lost their standing as members). Of this number twenty-three have received letters of dismission, three have died, and seven have left the country. In all this success they acknowledge the hand of God.

DANVILLE GRANGE, No. 85, PATRONS OF HUSBANDRY.—This Lodge was organized by Worthy Deputy R. G. Dean, October 1, 1873, with the following lady and gentlemen members: Mrs. Jonathan Hoag, Mrs. Sallie Boone, Mrs. Charles Wood, Mrs. J. M. Jones, Mrs. S. Labaree, Mrs. R. B. Love, Miss Olivia Labaree, Miss Lizzie Stern, Miss Hattie Van Patten, Miss Frances P. Rice, Jonathan Hoag, A. W. Stone, Charles Wood, D. A. Sherburne, Wade Hayes, R. O. Baldwin, Leonard Eddy, R. B. Love, William Bell, J. B. Sydnor, J. J. Kerr, Isaac Russell, Thomas Flournoy, John Stern, W. W. Cox, Francis Matteson, D. A. Caldwell, John Camp, Hugh Wiley, James O. Boone. We have been unable to procure the names of the first officers of this Grange, but those of the present are: D. N. Sherburne, Master; James M. Stone, Overseer; Charles Wood, Secretary; M. W. Hall, Steward; S. D. More, Assistant Steward; R. S. Symington, Chaplain; R. O. Baldwin, Treasurer; C. E. Howard, Secretary; S. F. Ramage, Gatekeeper; Mrs. C. E. Howard, Ceres; Mrs. S. Labaree, Pomona; Mrs. W. Z. Stone, Flora; Miss Olivia Labaree, Lady Assistant Steward.

LAFAYETTE.—This hamlet was founded by Hon. Elam Brown on his arrival in the district in 1847; that is to say, that he built the first among the cluster of houses that now make up the village, but it was left to Mr. Shreve to give to the place the name it now bears. That gentleman, passing through the village in the year 1852, was induced to remain among them, and taught the school there during the Winter of 1852–53, presumably one of the first in the county; while here, too, at a very early date, were laid out a cemetery, and a church built.

In 1853, Milo J. Hough, at present residing near Walnut Creek, settled in Lafayette, and built a hotel there in that year, which he conducted until his removal in 1855. Here, too, in 1853, was erected the first grist mill in the county. Mr. Brown, feeling that the journeys to San José with grist were somewhat of an undertaking, purchased a horse-power mill at Benicia, and transporting it to Lafayette, placed it on the site now occupied by the store and residence of Benjamin Shreve. The building was destroyed by fire in the year 1864.

The life of Lafayette, like most of the other small towns in the county, has been principally composed of prosperity and adversity. Stories are

told of the days when the thoroughfares were lined with teams from the redwoods, whose drivers spent their hardly earned money with reckless profusion. It had some instinctive feeling for the necessities appertaining to a town; blacksmith's shops were duly opened, houses of entertainment sprang up as if by magic, while a taste for culture developed itself. On January 21, 1860, the Lafayette Library Association was organized, but we much fear that the society has long ago died a natural death. With the promise of a railroad at no very distant date, it is thought the prospects are brighter; while we feel certain that were its beauties known, and its locality more easy of access, Lafayette would become a Summer resort second to none in California.

SAN RAMON.—This is the name given to the Post-office at what is usually known as the village of Limerick, which we believe also once rejoiced in the name of Lynchville. It is situated in the lovely San Ramon valley, near its head, in the extreme south of the county, three miles above Danville, and eight from Hayward's in Alameda county.

The first house erected in the village is that now occupied by George McCamley; it was built by John White in the year 1852, and remained there in solitary grandeur until a man named Eli Brewin constructed a blacksmith's shop on the site now occupied by J. H. Dutcher. About the same time, which was in 1857, Reuben Harris put up a building which was destroyed by fire in 1880, while a Doctor Caldwell, who afterwards moved to San José, erected a frame house to the south of the creek. He disposed of this fabric to a man named Slankard.

On April 22, 1860, we find that the Catholic Church was dedicated with appropriate ceremonies—its Patron being St. Ramon; while, in or about 1863–4, Peter E. Peel opened a store, which he afterwards sold to one Conway. In 1864, J. D. Horan built the house now occupied by James Barrett, and, in 1867, the handsome new school-house was completed. The building is in size forty-six by twenty-six feet, with walls that give a clear height of thirteen feet.

WALNUT CREEK.—A dozen miles from the county seat, and situated near the northern end of the San Ramon valley, lies, sequestered in the vale, surrounded by mountains, and overlooked by the beetling cliffs of Diablo, the beautiful village of Walnut Creek, the most thriving of all the smaller towns in the county.

We have seen that, in 1849, William Slusher built a small cabin near where the present Walnut Creek House stands. In 1852 he had already sold it to George Thorn, and when William Wells arrived in the country it was the only place with a roof to it in what is now Walnut Creek. The next house to go up was the hotel, built in 1855, by Milo J. Hough, who had come over from Lafayette. It stood on the north side of the creek, at

the entrance to the town, was called the Walnut Creek House, and was burnt down April 3, 1867. It occupied the lot where now the Widow Shannon resides. The third house to be erected was one by Thorn, who had abandoned the Slusher place and built the premises now occupied by Thomas E. Middleton, but in what year we have not been able to discover.

In the hotel, which was twenty-four by forty feet, Mr. Hough conducted the first store in Walnut Creek, and in the following year opened a blacksmith's shop.

How a village came to be started at this point, we are informed, was in this wise: it was the point where the great arteries of communication converged. Here the principal thoroughfares from the valleys of the interior crossed the road from Martinez to San José, Oakland and San Francisco. The land belonged to the above-named George Thorn who sold it to Penniman, who, about the year 1860, changed the county road, which then followed the sinuosities of the creek, and opened the main street. He also offered lots for sale, which were soon purchased, and thus was the pretty little town firmly launched into a premanent existence.

In or about 1859, a man named Searles opened a store in the village, and in 1861 or 1862, McDonald & Whetmore established their mercantile business where now stands the Walnut Creek House. In 1863, or thereabouts, Lawrence G. Peel opened his store and conducted it until 1869, when he died, and his establishment was purchased by Albert Sherburne. It stood on the ground now occupied by Antone Silva; indeed, the old store, with its former internal fixtures, may still be seen there.

The little town would appear to have progressed during its first years; in point of fact these were its most prosperous times. It became in 1864 the centre of a considerable staging business. Through here Brown & Co's conveyances to San Ramon ran in connection with those to Oakland; while in 1867, during the general excitement in regard to railroad building, it was here that the principal meetings to further the scheme were held. On May 12, 1872, the Methodist Episcopal church was dedicated, while, in regard to the schools, the earliest we have been able to learn about, was one which stood in 1857 on land now owned by Mrs. Hargreaves.

From the publications of the time, we glean the following distressing catastrophe, which may be thought worthy of record, and is here produced so that our younger readers may be reminded of the dangers that may attend the use of fire-arms by those who are of not sufficient age to fully realize the risks they incur to themselves, and the dangers in which their fellows may be placed by their want of due caution and lack of experience.

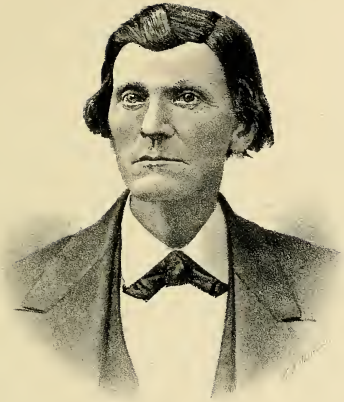
On Monday, September 22, 1873, two step-sons of I. T. Sherman, Colonel and Lincoln Grant, the former thirteen and the latter ten years of age, were finding amusement in firing an old pistol at a mark near the bridge, a few yards from Walnut Creek village. The younger boy, Lincoln, was to

shoot in his turn, but the cap missed fire; and the elder, Colonel, was assisting in putting on a fresh cap, the younger lad holding the butt of the pistol, and at the same time holding the hammer back with his finger, as, from some defect, it was not self-holding when set back. While thus engaged, the older boy, Colonel, having hold of the barrel of the pistol with one hand, and with the other placing the cap on the nipple, the hammer escaped from the finger-hold of the younger boy, and the pistol was discharged, the ball entering the abdomen of the elder, from the effects of which the poor lad died that same day, to the intense grief of his bereaved relatives.

Fire, that fell destroyer, once more visited the vicinity of our beautiful little town in 1875. On the last day of that year, the dwelling of Dr. Rowan, at Bareges springs, succumbed to the devouring element. The Doctor had gone to Walnut Creek, and, while there, was attracted by smoke in the direction of his house. He started for home at once, to find on his arrival his all in ashes. Thanks to generous hearts, however, a subscription for his relief was immediately set on foot, and before long a handsome sum realized.

These are the chief incidents that have occurred in Walnut Creek since its commencement, so far as we have been able to gather. To-day it is one of the most charming localities on the Pacific Coast, and for it we predict a great future. We can safely assert that depression in business is not everlasting. With facilities for rapid communication with San Francisco, Walnut Creek must become a place of resort; it has the best climate within ken of the Bay of San Francisco; it is, even now, but from two to three hours by stage from Oakland; while, when the country is opened up by the promised line of railroad through the valley, we shall have spring up a host of pleasure-seekers in one of the most delightful districts in California.

Alamo Lodge, No. 122, F. and A. M.—This Lodge was formally opened Under Dispensation, January 9, 1858, and a Charter granted to it by the Grand Lodge on May 13th of the same year. The Charter Members and officers Under Dispensation were: John E. Mitchell, W. M.; F. Vanderventer, S. W.; I. N. B. Mitchell, J. W.; S. Maupin, Secretary; John C. O'Brien, Treasurer; I. N. Morgan, S. D.; J. T. Flippin, J. D.; William Wyatt, Tyler. On the granting of the Charter, the following were the officers chosen: John E. Mitchell, W. M.; S. Maupin, S. W.; I. N. B. Mitchell, J. W.; G. W. Gobell, Secretary; J. M. White, Treasurer; J. T. Flippin, S. D.; J. C. O'Brien, J. D.; J. L. Labaree, Tyler. The membership of the Lodge, which is in a very flourishing condition, is fifty-five, while its officers for the current term are: J. M. Hinman, W. M.; A. Williams, S. W.; C. Sharp, J. W.; E. L. Baker, S. D.; W. E. Hook, J. D.; J. S. Huntington, Treasurer; J. B. Sydnor, Secretary; J. M. Wilson, Farmer Sanford, Stewards; G. W. Yoakum,



S. Bacon

Marshal; N. Graber, Tyler. The day of meeting is on Saturday of, or after full moon.

This Lodge was first started in the town of Alamo, where it had a handsome brick building. The edifice was destroyed by the earthquake of October 21, 1868, when permission was granted to the Brethren by the Grand Lodge to remove to Danville. Here, February 29, 1869, they held their first meeting, and Under Dispensation, dated January 4, 1873, moved to Walnut Creek, first rented a house where they met, until the present Lodge was built. The first meeting in the new building was held November 23, 1878.

Mount Diablo Lodge, No. 91, A. O. U. W.—Was instituted April, 4, 1879, with the following Charter Members:—A. G. Annis, M. L. Gray, J. M. Wilson, Thomas Johnson, J. E. Rockwell, M. M. Shuey, M. Kirsch, C. Sharp, Robert Thomson, P. Thomson, Charles Thompson, James Hammond, Farmer Sanford, J. E. Pearson, J. M. Simpson, John McCullough, Henry Miller, Charles Niner, D. E. Cameron. The first officers were: M. L. Gray, P. M. W.; J. M. Wilson, M. W.; Thomas Johnson, F.; M. Kirsch, O.; James Hammond, Recorder; Farmer Sanford, Financier; M. M. Shuey, Receiver; A. G. Annis, G.; J. E. Rockwell, I. W.; R. Thomson, O. W. The lodge, which is in a flourishing condition, has a membership of seventy, while the officers for the current term are: C. Sharp, P. M. W.; T. Middleton, M. W.; James Hammond, F.; W. A. Rodgers, O.; E. S. Moore, Recorder; J. M. Wilson, Financier; H. S. Shuey, Receiver; M. Kirsch, G.; E. Ford, I. W.; Frank Webb, O. W. The lodge meets at their hall in Walnut Creek, at the corner of Main and Bonanza streets, on Friday of each week. The hall is thirty-six by sixty feet, and well-appointed. To this lodge is the honor of being the first in the State of California, in the Ancient Order of United Workmen, to own its own building.

Bayleaf Lodge No. 7, Degree of Honor.—Was instituted April 6, 1881, with the undermentioned charter members: J. M. Wilson, Mrs. M. J. Wilson, G. W. Yoakum, Mrs. R. A. Yoakum, T. E. Middleton, Mrs. T. E. Middleton, J. M. Stow, Mrs. Alice Stow, T. E. Moore, Mrs. Nellie Moore, E. L. Baker, M. Kirsch, Mrs. M. Kirsch, Thomas Johnson, Mrs. T. Johnson, E. Ford, Mrs. E. Ford, Charles Niner, Mrs. Charles Niner, C. Sharp, Mrs. C. Sharp, Miss May Lawless, M. E. Hook, Robert Jones, Mrs. Nettie Jones, Mrs. W. Renwick, Fred. L. Foster, H. S. Shuey, Mrs. H. S. Shuey, J. E. Worden, Mrs. J. E. Worden, H. M. Waterbury, James Hammond, David E. Cameron, Mrs. D. E. Cameron, Mrs. Mattie Slitz, Miss Lizzie Frazer, Walter A. Rogers. The first officers to serve were: Mrs. Thomas Johnson, P. W. S. of H.; Mrs. H. S. Shuey, W. S. of H.; Mrs. R. A. Yoakum, S. of H.; Miss May Lawless, Secretary; Mrs. J. M. Wilson, Treasurer; Mrs. M. Kirsch, S. of C.; Mrs. E. S. Moore, S. U.; M. Kirsch, I. W.; F. L. Foster, O. W. The Lodge,

which is in a flourishing condition and numbers thirty-seven members, has for its present officers: Mrs. H. S. Shuey, P. W. S. of H.; Mrs. G. W. Yoakum, W. S. of H.; Mrs. E. S. Moore, S. of H.; Mrs. Lizzie Frazer, Secretary; Mrs. J. M. Wilson, Treasurer; Mrs. M. Kirsch, S. of C.; Mrs. E. Ford, S. U.; M. Kirsch, I. W.; G. W. Yoakum, O. W. The Lodge meets on the first and third Monday of each month, at the A. O. U. W. Hall.

WOODBINE CHAPTER, NO. 43, ORDER OF EASTERN STAR.—Was instituted May 8, 1880, with the undermentioned charter members: A. Sherburne, W. S. Burpee, Farmer Sanford, A. Williams, I. E. Baker, G. W. Yoakum, N. Graber, J. Zable, John Simms, John Atkinson, J. M. Hinman, Mrs. B. B. Hinman, Mrs. C. L. Sherburne, J. M. Wilson, Mrs. R. A. Yoakum, Mrs. M. J. Wilson, Mrs. M. L. Burpee, Miss Minnie Sanford, Mrs. F. Sanford, Mrs. J. Zable, Miss Laura Zable. The first officers who served were: J. M. Hinman, W. P.; Mrs. B. B. Hinman, W. M.; Mrs. C. L. Sherburne, A. M.; J. M. Wilson, Secretary; Arthur Williams, Treasurer; Mrs. R. A. Yoakum, Conductress; Mrs. M. J. Wilson, Assistant Conductress; Mrs. M. L. Burpee, Ada; Mrs. F. Sanford, Ruth; Miss Minnie Sanford, Esther; Miss Laura Zable, Martha; Mrs. M. A. Williams, Electa; John Atkinson, Warder; N. Graber, Sentinel. The Lodge, which is in a flourishing condition, has a present membership of thirty-two, while the officers now serving are: C. Sharp, W. P.; Mrs. R. A. Yoakum, W. M.; Mrs. C. L. Sherburne, A. W.; W. S. Burpee, Secretary; A. Williams, Treasurer; Mrs. M. C. Burpee, Conductress; Mrs. M. C. Sharp, Assistant Conductress; Mrs. B. B. Hinman, Ada; Miss Lydia Hinman, Ruth; Mrs. Minnie Middleton, Esther; Mrs. M. J. Wilson, Martha; Mrs. L. A. Williams, Electa; A. Sherburne, Warder; N. Graber, Sentinel. Meets at the Masonic Hall, on the second and fourth Tuesday in each month.

TWILIGHT LODGE, NO. 331, I. O. G. T.—This lodge was instituted June 10, 1880, with the following charter members: Rev. J. M. Hinman, Mrs. B. B. Hinman, Miss L. B. Hinman, H. Steele, Mrs. L. A. Steele, Miss Alice Trevits, Miss Florence Trevits, Miss Katie Shannon, Miss Lydia Hinman, Frank Stone, T. J. Dunnagan, L. S. Jones. The first officers were: Mrs. B. B. Hinman, W. C. T.; Miss Florence Trevits, W. V. T.; Miss Katie Sherman, W. Chaplain; Miss Lydia Hinman, W. Secretary; Frank Stone, W. Fin. Sec.; Miss F. Trevits, W. Treasurer; Miss Alice Trevits, W. Marshall; T. J. Dunnagan, W. I. G.; L. S. Jones, W. O. G.; Rev. J. M. Hinman, P. W. C. T. The membership at present is forty-nine. The lodge meets every Monday evening, and is in a flourishing condition, while the officers for the current term are: H. S. Raven, W. C. T.; Miss M. E. Murry, W. V. T.; B. Galloway, W. Secretary; N. Graber, W. Fin. Sec.; Miss Lydia Hinman, W. Treasurer; A. E. Hodges, W. Marshall; J. Larkey, W. I. G.; J. Dunnagan, W. O. G.; Mrs. B. B. Hinman, W. Chaplain; Miss Artie Stone, W. R. H. S.;

Miss Katie Shannon, W. L. H. S.; Miss Mamie Baker, W. Asst. Sec.; Miss Minnie Putnam, W. Asst. Marshall; Rev. J. M. Hinman, P. W. C. T.

THE BAREGES SULPHUR SPRINGS.—These springs are situated near the town of Walnut Creek, in the Ygnacio valley, and are the property of John Denkinger. When they were discovered we know not, but in 1875, Dr. Rowan, the then proprietor, had a residence on the spot which was destroyed by fire in that year, since when no building for the entertainment of guests has been constructed. Bath-houses, however, there are, which are open to the public on Fridays, Saturdays and Sundays. The medical and curative virtues of these waters are well established, and their chemical analysis is identical with that of the waters of the world-famous Bareges springs of the Spanish Pyrenees. They are situated in one of the most charming rural neighborhoods of the State, and easily accessible from all directions.

TOWNSHIP NUMBER THREE.

Geography.—Township Number Three is bounded on the north by the Suisun Bay; on the east by Township Number Four; on the south by Townships Numbers Four and Two; and on the west by Township Number One.

Topography.—The topography of this township, though not as varied as that of the others, yet has its differences from fertile hill slopes to equally fruitful valley lands. The Ygnacio valley has no peer in the wide extent of the State for prolific yields of grain, while the oaks, which spread their wide sheltering branches in all directions, lend a sylvan beauty to the scene, which once seen, is not to be forgotten. Through it the two considerable streams known as the Monte del Diablo and Walnut creeks find their way past the town of Pacheco, a little distance from which, mingling their waters, they pass through the belt of tules which faces the northern face of the township and fall into Suisun Bay.

Soil.—In this township the soil of the valleys and along the foot-hills is alluvial, although their are certain portions composed of adobe, which is the best adapted to wheat growing. A large portion of the township has known no other product since 1853, and though not as prolific as in the earlier years, still the crops are wonderful. A system of rotation, it is thought, would rectify this.

Products.—Wheat holds first rank among the products of this township, although the other cereals are grown to a considerable extent. Stock-raising and dairying, too, have their adherents, while every farm house has its well filled orchard of every manner of fruit and thriving grape vines.

Timber.—Save the umbrageous oaks, mentioned above, and the trees in the romantic cañons about the base of Mount Diablo, but little timber finds space in Township Number Three, yet there is sufficient to meet the domestic wants of the population for many decades of years to come.

Climate.—Of the climate of Township Number Three, naught can be said but praise. What applies to the others also applies to this. The year is divided into the dry and wet season, the by no means too warm days of Summer and the cool period of Winter, never too cold, however, to preclude the performance of out-door labors. Wonderful geniality of temperature is the sum of climatic influences here.

Early Settlement.—During the year 1828, the Rancho Monte del Diablo, comprising four leagues of land, was granted to Don Salvio Pacheco, a gentleman who was widely known throughout the Department of California, and held many high offices in the gift of the Mexican Government. At this time he was a resident of the Pueblo de San José, and it was not until the year 1834 that he took actual possession and commenced stocking his vast property with cattle, for be it remembered the early Californian was a stock-raiser rather than a farmer. Don Salvio died at his residence near Concord, where now resides his son Fernando. This gentleman came to the township in 1835, and brought with him some cattle, but only remained on the Rancho during a portion of each year. In 1845 he brought his family to the county and made his permanent home in Contra Costa, in 1851 moving to his present house. In the early days the Pachecos owned fully five thousand head of cattle, while it may be stated, as showing that the Rancheros life was not always one of indolence, that it was usual to shut for the night as many as one thousand calves.

Up until 1852 there was no accession to the foreign population of the township under consideration. In that year we learn that Asa Bowen settled on the place now occupied by Silverio Soto and William C. Prince. He had in this year started the orchard now owned by Prince, the land being jointly owned by him and Frank Lightston, of San José. In the same year, Benjamin Shreve had a short residence in Ygnacio valley, but afterwards moved to Lafayette, where he now lives.

We should have mentioned that in 1850 valuable lime quarries were discovered at the foot of Mount Diablo by Frank Such, who at once commenced the task of developing them, and whence, in company with W. E. Whitney, of Township Number Five, he supplied vast quantities of the lime for mortar first used in San Francisco, the material being shipped from the landing, six miles from the mouth of Mount Diablo creek. Excellent kilns were there erected capable of burning four hundred and fifty barrels at one time, and yielding three thousand barrels per month. This industry is at present in abeyance, and yet the supply is said to be inexhaustible. It is presumable that for this staple, as well as for hides and tallow, came the first sailing craft up to the Embarcadero.

In November, 1852, Randolph H. Wight, for many years one of the Board of Supervisors of Contra Costa county, settled in the New York valley, and resided with his brother until 1857, when he moved to his present residence. On his arrival Mr. Wight says he found the Olmstead and Strode families, the former living in a house erected in 1850—the first in that portion of the township—where now stands "the stone house," occupied by Joseph Anderson, and the latter on the land now occupied by Daniel Cunningham. In this year the first orchards were planted in the New York valley section of Township Number Three.

Our readers are all familiar with the stretch of territory forming the high land between Mount Diablo and Walnut creeks, now embraced in English and Kapp's property, comprising some three thousand acres in all, and usually called the Government Ranch. This name, however, is misleading. We are informed, on reliable authority, that the ranch was never the property of the Government, nor was it ever leased by them. It was purchased by two officers of the Quartermasters' Department of the United States Army, Majors Allen and Loring, in or about 1851, and from the fact of the army mules being pastured there during one year, the public gave the tract the name of the Government Ranch. It was one league of the Pacheco Grant and was sold to Majors Allen and Loring for twelve thousand five hundred dollars. Here the two officers erected several buildings shortly after the time of their purchase, but these have not been used as residences for years; they are now store-houses. They were constructed without nails; the boards were imported from Norway; they came out numbered, each joist and plank fitting into each other. Major Allen never lived on the Ranch. On Loring's death, however, he acquired that gentleman's share, and afterwards sold out to Dr. L. C. Frisbie, of Solano county, who disposed of it to Judge S. C. Hastings. One-half of it was bought by G. W. Colby from the Judge, who gave the remaining moiety to his son, C. F. D. Hastings, who sold it to Barry Baldwin, and from him it passed into the hands of the present owners.

We now come to that epoch when every available acre of the township was located on by squatters—not a quarter-section but had been taken possession of by those dispirited men from the mines.

Prominent among those to settle in Ygnacio valley in 1852, is James T. Walker, the nephew of the renowned Captain Joe. Walker. Here he has resided ever since, has built himself a beautiful home, and owns a large estate of hill and valley lands. His house commands one of the most magnificent prospects conceivable, as it takes in the fertile valley, dotted with umbrageous oaks, and mixes in the blue distance with the Suisun Bay and the hills beyond. In the same year Mr. Walker's *companion de voyage* of 1847, Frank McClellan, settled on the place where now resides Lawrence Geary, but moved into the town of Pacheco in 1877. The interesting wanderings of these two intrepid pioneers will be found duly recorded in their biographical sketches. Of the others who came in that year (1853), were "Jerry" Morgan, now of Morgan Territory, George Potwin, Penniman, Seymour, Myron Gibson, Robert McPherson, Alonzo Plumley, the Smiths, Ben. Hockabout, Hank, Henry and John Davis, Vandermark. Seymour occupied about that section where W. C. Prince now is; Barnheisel occupied a point near Mr. Major's farm; Ed. Legrand had a forty-acre tract above the Lohse place, and known afterwards as the Shannon tract; Morgan was located where J. F. S. Smith resides, his cabin being on the hill now occupied by the

barn; Myron and John Gibson, Ambrose and James Toomey, occupied a portion of the splendid ranch now owned by Munson Gregory, and as far as Mr. Bray's residence in Pine cañon. Besides these there were several more, whose names we have not been able to trace. In October, 1853, Dr. E. F. Hough, now of Martinez, located in the Ygnacio valley, entered upon the practice of his profession, and after some obstructiveness on the part of native Californians, established a lasting popularity. He also opened a store and house of entertainment, which he conducted until 1855, when disposing of his interest he removed to the county seat. This was the first store in the township. In this year Mr. Prince bargained with Asa Bowen for his present farm; he found on the place a full crop of sweet potatoes of some fifteen to twenty acres in extent; it was in this year, too, or 1852, that the first crop of wheat was sown. On May 3, 1853, Samuel S. Bacon came to the Government Ranch, and in the Fall built a stable for fourteen mules, for Majors Allen and Loring of the United States Army. Of the names Mr. Bacon remembers, those of Bishop and Van Ryder may be mentioned, who resided on the place now owned by Charles S. Lohse, where they cultivated a small patch of wheat in partnership. At this period there was not the semblance of a town in the county, save at Martinez. F. L. Such was foreman for a San Francisco firm, and had the limekiln mentioned above. It was situated on the right bank of the branch of Mount Diablo creek, where he had established a landing. The creek was then sufficiently large for craft of nearly one hundred tons—to-day it is almost filled up. The lime enterprise was continued until 1862; it then lay dormant for a time, and under the supervision of another firm was resuscitated and pushed until about the year 1870. In the New York valley district there located in 1853, Charles L. Bird, on the land now owned by the Colby estate, C. J. Pramberg, and Messrs. Hilshin and Johnson. Towards the end of the year Mr. Knight settled where Mr. Cunningham now resides. In the Spring of this year Charles N. Wight joined his brother in this section. Here, in 1853, the first land was plowed, and about seven acres sowed in wheat; an excellent crop was the out-turn, but owing to the want of proper threshing facilities, not much good resulted.

The parents of S. P. Davis, of Brentwood, located in the Pacheco valley, near Clayton, October 17, 1853, and with their son resided for many years in that region.

In the Spring of 1854, William C. Prince, who had come to his uncle, Hon. Elam Brown, in 1849, removed from Lafayette to the farm he now occupies, purchased the year before, and has since resided thereon. The transaction took the form of a partial exchange, Bowen receiving the Morgan House and a livery-stable that stood where Judge Brown's office now is, in Martinez, for the land, or a portion of it. In 1854, including squatters, there were fully twenty-five families settled in the Ygnacio valley, the produce of

which was shipped from the embarcadero at Pacheco, to San Francisco, for cultivation had become general and immense crops were raised. In this year there came to the Bay Point district Newton Woodruff, accompanied by his brothers, Asa, Philo and Simeon, the last of whom remained some five or six years. The first school in the township was established in this year in the Ygnacio valley.

Among the settlers of the township in 1855, were the Hon. C. B. Porter, in Green valley, since when this gentleman has been one of Contra Costa's most able and prominent citizens. He has served in the Upper and Lower Houses of the State Legislature, while he is well known as the present distinguished editor-proprietor of the *Contra Costa Gazette*. In this year, too, Ignacio Soto joined his brothers, who had preceded him to Contra Costa county, on the thousand-acre tract in the Ygnacio valley. Here he resided until his death, which occurred June 15, 1882. In 1856 Thomas Z. Witten settled on his present property, and in the following year, 1857, Munson Gregory acquired, and in 1858 settled on the magnificent ranch he now owns. In 1857 D. R. McPherson settled in the Ygnacio valley, and on December 4th George P. Loucks took up his residence in the township. Mr. Loucks, besides having filled the office of County Clerk, has also held a seat at the Board of Supervisors for Contra Costa county. In 1858 David S. Woodruff settled at Bay Point, and Syranus Standish, of Pacheco; in 1859 J. A. Littlefield and Theodore Downing became residents of the township; and in 1860 Ludwig Anderson and D. G. Bartnett each located in the town of Pacheco.

The reader will naturally remark that the foregoing gentlemen are not all of those that settled in the township, still, they are the only names that are remembered by the oldest residents now living, and as such must they be accepted. We will now turn to a few remarks upon the histories of the villages in Township Number Three.

PACHECO.—Situated in the midst of a lovely valley, five miles distant from the county seat of Martinez, is the village of Pacheco. In 1860 Messrs. Hale and Fassett, with Dr. Carothers, purchased the site of the place and laid it out in town lots. With a keen perception of the natural advantages of the situation, its proximity to an embarcadero, and its lying on the main line of travel, these enterprising gentlemen at once commenced building. Hale & Fassett erected a store and a large warehouse at the bay side, and in a short time were doing a large and profitable business. Others came in, lots were bought and the place soon had the elements of prosperity.

Long before Pacheco was, however, G. L. Walrath had in 1853 erected the residence now owned and occupied by George P. Loucks. In 1856 that gentleman purchased it from Walrath, and on December 4, 1857, took possession. As far back as 1853 there was a warehouse owned by Lathrop, Fish and Walrath—that now possessed by Bray Brothers of San Francisco;

while, in 1857, Mr. Loucks built another of one hundred and fifty feet in length, and in 1858, one hundred and twenty-five feet were added to it. This building stood on the bank of Walnut creek, about one mile east of Pacheco. In the Fall of 1862 it was moved down the creek about three-quarters of a mile, owing to the rapid filling in of the stream. In 1857 W. K. Hendricks acquired land from Mr. Loucks, and on it built the mill. These two enterprises were the primary causes of the starting of Pacheco.

At an early date the creek had its course to the rear of the present store of John Gambs, while the county road ran along the line of the creek as it is now.

The earliest sailing craft to ply to the locality were those trading to the lime-kiln of F. L. Such, mentioned above. Those first to come to Louck's wharf were the *C. E. Long,* Capt. Gus. Henderson, and *Ida,* Capt. Ludwig Anderson.

The land on which the town stands was surveyed by J. B. Abbott, and on it Hale & Fassett built the first house, it being the aforesaid long store now occupied by John Gambs. About the same time Ludwig Anderson erected his residence; while the first brick house was put up by Elijah Hook. The first hotel was opened by Woodford in the present Eagle Hotel, and thus the town had its start. In 1860 J. H. Troy's fire-proof building was completed.

In the year almost of its birth Pacheco was visited by a devastating fire; let us, however, take these catastrophes in their chronological order. On August 11, 1860, a fire broke out in the village, when the store of Elijah Hook, known as the "Farmers' Block," the concrete block of Dr. J. H. Carothers, and several other buildings, were consumed, with a loss of about twenty-six thousand four hundred dollars. Almost seven years later another disastrous conflagration took place. On August 15, 1867, the Pacheco Flour Mills were totally desroyed by fire. This loss was a public as well as a private calamity, it being one of the greatest conveniences in the neighborhood. The loss on the proprietor, W. J. Ireland, was a very severe one, and swept away the earnings of a life of industry, amounting in value to no less than from fourteen to sixteen thousand dollars, upon which there was no insurance; besides about two thousand dollars' worth of wheat and flour was consumed, the property of various farmers in the vicinity. The next fire we have heard of is the burning of Judge Warmcastle's farm-house on April 1, 1870, during that gentleman's absence at the East. The building was rented by Mr. Minaker. The last of all these conflagrations was the most destructive. On the morning of Tuesday, September 5, 1871, the village was once more visited by the "Fiery Fiend," and damage done to the amount of thirty thousand dollars and more. The principal losers were E. Hook, three buildings and stock, loss eighteen thousand dollars; L. F. Moreno, building harness stock and household goods, loss two thousand five hundred dollars;

Bunker & Porter, *Contra Costa Gazette*, loss two thousand dollars; Odd Fellows' Hall, two thousand dollars; L. Anderson, loss five hundred dollars J. H. Troy, loss five hundred dollars.

Owing to this fire the issue of the *Gazette*, of September 9, 1871, was mostly filled with matter of the *San Francisco Bulletin's* supplement, kindly placed at the disposal of our friends by the publishers of that periodical; the following week, however, saw the *Gazette* in full force, with no symptom of its distressing and discouraging interruption.

When Pacheco Fire Engine Company, No. 1, was organized, we have been unable to gather, nor do we know who its first officers were, but that there was such an organization is certain, for we find Don Salvio Pacheco presenting them with a handsome banner, richly trimmed with gold lace, and surmounted with a golden eagle, on February 16, 1861. On September 12, 1863, an I. O. O. F. Lodge was organized in Pacheco, with the following officers: Paul Shirley, N. G.; W. T. Hendrick, V. G.; L. B. Farish, Sec.; John Gambs, Treas.; J. H. Carothers, Warden. We are happy to state that this order has grown apace in the little village, where it has one of the most elegant buildings to be found in all California. We are glad to be able to produce an extended history of it further on.

In June, 1868, Lohse & Bacon erected their new warehouse at Seal Bluff Landing, its dimensions being fifty by one hundred feet.

The great earthquake which occurred at eight o'clock on the morning of October 21, 1868, (who will ever forget it?) did considerable damage in Pacheco among the brick and concrete buildings, though a number of the frame buildings also suffered. The rear wall of Elijah Hook's two-story brick building was shattered from the top to the level of the upper floor, the upper angles of the front being also badly shaken; the concrete building belonging to Doctor Carothers was badly shattered; the two-story brick building owned and partly occupied by J. H. Troy—the upper story being used as a lodge room by the Odd Fellows—was badly cracked; the front and rear walls of Morgan's two-story brick and concrete building were entirely broken from the side walls, from top to bottom; while Hook's concrete warehouse was cracked open in many places, as well as other damage. The *Gazette*, too, managed to escape, but only by a hair's breadth.

On May 29, 1869, the Western Union Telegraph Company completed their line to Pacheco *en route* to Antioch, an office for which was established at the store of Fassett & McCauley, under the supervision of Barry Baldwin. June 19th of this year, Mohawk Tribe, No. 20, I. O. R. M., was instituted at Pacheco, there being present the following Chiefs of the Great Council of the State, viz: Adam Smith, Great Sachem; W. T. Cruikshank, Great Junior Sagamore; C. E. B. Howe, Great Prophet; J. A. Woodson, Great Chief of Records; James Goshn, Great Keeper of Wampum; assisted by several Past Sachems. The Council Fire of the Mohawk Tribe was

John. G. Chase

directed to be kindled on the *Sleep* of each *Third Sun*—Tuesday evening of each week. We fear, however, that its ashes have been taken by the winds, never more to know the genial power of heat.

With its wonderful progress, Pacheco must needs have a bank. On December 29, 1870, the certificate of incorporation of the "Contra Costa Savings and Loan Bank" was filed, the following being the Directors: Barry Baldwin, G. M. Bryant, Walter K. Dell, John Gambs, W. M. Hale. The capital stock was laid at *fifty thousand dollars;* the existence of the corporation limited to *fifty* years. In this year of Grace, 1882, Pacheco does not possess a bank; *Sic transit,* etc. But these were the stirring times of the now peaceful village. May 10, 1871, officers were chosen for a newly-organized military company of forty members, the choice being, for Captain, George J. Bennett; First Lieutenant, H. N. Armstrong; Second Lieutenant, William Fassett. On February 6, 1874, the Pacheco Tobacco Company was incorporated, with a capital stock of ten thousand dollars, in twenty shares of five hundred dollars each, for the purpose of leasing or purchasing land, raising, curing and manufacturing tobacco; its principal place of business to be Pacheco, and Directors: W. K. Dell, D. F. Majors, B. Baldwin, S. W. Johnson, R. H. Cornell.

The Pacheco Grange of the Patrons of Husbandry was instituted February 5, 1876, with thirty charter members. The first officers were: F. M. Warmcastle, Master; H. Sanford, Overseer; A. Martin, Lecturer; F. Sanford, Steward; A. Carpenter, Assistant Steward; J. H. Cornwall, Chaplain; R. B. Hathaway, Treasurer; M. Hays, Secretary; C. Clark, Gatekeeper; Mrs. A. Boss, Ceres; Miss Kate Sanford, Pomona; Miss Almira Morgan, Flora; Miss D. Downing, Lady Assistant Steward.

These are the principal items we have found to mention in connection with Pacheco. From the first it had one great enemy, and that was its location. Situated as it is on such low-lying grounds, the yearly recurring floods drove the people from its precincts—Doctor Carothers' canal notwithstanding—until to-day the erst-awhile thriving and lively village is but a relic of its former grandeur.

CHURCHES.—The first church built in Pacheco was the Presbyterian, in 1862; some time later a Roman Catholic church was erected; and finally, at a much later date, a meeting-house of the Congregational body.

SCHOOLS.—In the year 1859 a school-house was constructed, and D. S. Woodruff became the first preceptor. This continued until 1872, when it was deemed advisable to acquire a new school site, adjacent to the Roman Catholic church, and remove the institution thither, where it would be less likely to be flooded than in its former position.

PACHECO LODGE, No. 117, I. O. O. F.—In the latter part of July, 1863, a notice appeared in the *Contra Costa Gazette* calling for a meeting of all

Odd Fellows residing in the county. At that meeting, much to the surprise of the caller, some fifteen or sixteen were present, hailing principally from Eastern and Western Lodges. Of those that can now be remembered, were: Past Grand G. P. Loucks, of Tryon Lodge, No. 247, New York; W. T. Hendrick, of Rhode Island; S. Standish, of Ohio; J. Shafer, A. W. Hammitt, of Iowa; John Baker, of Michigan; Daniel Glass and C. F. Betts (now deceased), of Iowa; Past Grand Paul Shirley, Andrew Inman (now deceased) and Simon Blum, of Solano Lodge, No. 22; J. H. Carothers, of Ohio; L. B. Farish, of Yerba Lodge, No. 5. After consultation, it was believed by those present that a Lodge would be prosperous, if instituted, and agreed that necessary steps should be taken at once to organize the same; in accordance therewith, Past Grand G. P. Loucks, W. T. Hendrick and J. H. Carothers applied to San Francisco Lodge, No. 3, to be admitted as members. Having been duly admitted, Past Grand Paul Shirley, L. B. Farish, Past Grand G. P. Loucks, W. T. Hendrick and J. H. Carothers applied for, and were granted, Withdrawal Cards, by their respective Lodges, and applied for a Charter, to be known as Pacheco Lodge, No. 117, to be located at Pacheco. A Charter having been duly granted, on the evening of the institution, John Gambs, C. F. Betts and S. Blum, presenting Withdrawal Cards from their respective Lodges, were admitted as, and their names added as, Charter Members; and on the twelfth day of September, 1863, M. W. Grand Master, assisted by Past Grand Masters S. H. Parker, W. Allen, J. A. J. Bohen, R. W. Deputy Grand Master J. A. McClelland, R. W. Grand Secretary T. Rodgers Johnson, Past Grands H. C. Squire, H. C. Swain, William Satterlee, of San Francisco Lodges, and Past Grand C. F. Pousland, of Solano Lodge, No. 22, duly instituted Pacheco Lodge, No. 117. Of the instituting officers, all have passed to their eternal homes, excepting one; honored memories of the good work done by them alone are left to us. Past Grand Master and Past Grand Representative J. A. McClelland, ripe in years, and honored by our jurisdiction, is the only survivor.

P. G. Paul Shirley was elected N. G., W. T. Hendrick V. G., L. B. Farish Sect., John Gambs Treas., C. F. Betts O. G., and Past Grand G. P. Loucks as the Sitting Past Grand.

S. Standish made application by card to be admitted as a member; W. M. Hale made application to become a member by initiation; a dispensation was asked for and granted to be admitted the same evening, were duly elected members.

From the date of the institution the Lodge had enjoyed a season of prosperity in membership and pecuniary matters, until the Fall of 1871. In the Winter of 1870–71, the Lodge determined to erect a hall of its own, up to this time occupying a hall in the brick building known as Frog's, the same being entirely inadequate for the comforts of its growing membership.

A site was obtained west of and adjoining the lot and brick store of E. Hook. A fine two-story hall was erected, at a cost of about five thousand dollars, it being the intention to dedicate the hall to F. L. & T., on the anniversary of the institution of the Lodge before its occupancy; before that time arrived our hopes were in a few hours laid at our feet in a mass of cinders and ashes, a fire occurring on the morning of September 3, 1871, destroying a considerable portion of the town.

At a meeting of the Lodge, on the 6th, steps were taken to at once rebuild; the present location was obtained; its capital, three thousand dollars insurance; with about one hundred members as its financial basis, it was determined to erect a larger and more suitable hall, which was erected and furnished at an expense of about eight thousand five hundred dollars, without asking or receiving any aid, except through its own members. The present hall was dedicated on the anniversary of our beloved order April 26, 1872, by Past Grand Master J. A. McClelland, assisted by Past Grand Representative Nathan Porter, (now deceased); Past Grand Paul Shirley, as Grand Marshal; Past Grand Henry Shuey, as Grand Chaplain; Past Grand R. G. Davis, as Grand Herald of the East; Past Grand W. T. Hendrick, as Grand Herald of the North; Past Grand John Gambs, as Grand Herald of the South; Past Grand Geo. P. Loucks, as Grand Herald of the West; and Past Grand H. A. Rowley, as Grand Trumpeter.

By reason of overflows and filling of location, during the Fall of 1880, the hall was raised above its original foundation six feet, at an additional expense of between five and six hundred dollars. At this writing it has a cash reserve, besides its beautiful hall and fittings. In membership its average has varied but little from one hundred. After its first few years' existence, the following brothers have passed the Noble Grand chair, in the order named: Paul Shirley, L. B. Farish, William Girvan, E. Hook, J. H. Carothers, W. A. Smith, M. Barthel, W. T. Hendrick, A. Thurber, J. Gambs, S. H. Whitmore, R. G. Davis, S. Standish, S. Ashley, W. M. Hale, G. M. Bryant, G. D. Danskin, H. A. Rowley, G. R. Oliver, E. W. Hiller, S. W. Johnson, William Cavan, C. H. Martin, J. Leffler, J. A. Littlefield, J. E. Martin, D. B. Gibbs, T. W. Huckstep, F. L. Loucks, C. Woodford, A. W. Hammitt, J. Prince; of which J. H. Carothers, L. B. Farish, E. Hook, (W. Girvan, to become a charter member of San Joaquin Lodge, No. 151,) W. A. Smith, R. G. Davis, D. G. Danskin, G. R. Oliver and W. M. Hale withdrew by card, and mainly were members of sister Lodges; S. Standish ceased membership; C. H. Martin was expelled. From organization to this writing, two hundred and thirty-one members have been admitted; of which twenty-four are deceased; forty-five withdrawn; expelled, eight; suspended for non-payment of dues, fifty-four; the latter class may be reinstated on compliance with by-laws and vote of the Lodge.

PACHECO FLOUR MILLS.—This mill, the first and only one in Contra Costa county, was built in the year 1857, by W. T. Hendrick, who afterwards disposed of it to W. J. Ireland. On August 15, 1867, the building and its contents were destroyed by fire, but was rebuilt and placed in full operation. Mr. Ireland dying, the business was purchased from his widow, October 10, 1881, by the present proprietors, Messrs. Wagner & Russi. The structure is four stories in height, built of wood, possesses three run of stones—two for flour and one for feed; and is supplied with the best machinery, run by an engine of forty-five horse-power. The capacity is from thirty-five to forty barrels per twelve hours. It is largely patronized by the farmers in the neighborhood.

L. ANDERSON'S LUMBER YARD.—This industry was established by Capt. Ludwig Anderson in 1860, his yard being stocked with lumber from all the well-known timber districts of the State. He has on hand about a million feet of every available class of the commodity, and has branch establishments in Martinez and elsewhere, with a prosperous trade in the immediate vicinity.

EXCELSIOR SODA WORKS.—This is but a new industry to Pacheco, it having been established on March 1, 1882. Here the proprietors, M. Bonzagni & Co., manufacture all kinds of aerated waters, for which a large and ready sale is found in the surrounding districts.

CONCORD.—In the year 1869, owing to the continued yearly-recurring flooding of the town of Pacheco, whereby the inhabitants were put to great expense for raising buildings, etc., Fernando Pacheco and Francisco Galindo, to whom belonged the land, offered to lay out a town, some two miles east from Pacheco, and give to those willing to transfer themselves to the new town a certain number of lots free of charge. The plot was surveyed by Lewis Castro, laid off into lots and streets, and contained twenty acres divided into nineteen blocks and a plaza.

Among the first to take advantage of this new scheme was Samuel S. Bacon. He had suffered from the floods in Pacheco, where he had a store, he therefore came over to the new town, and in June, 1869, had completed his present store, and in July his dwelling-house. About the same time Charles S. Lohse put a machine-shop opposite Bacon's store, while John Brawand and George Gavin, too, erected dwelling-houses. That Summer (1869) what is now Kline's Hotel was built by Henry Loring; besides which there sprang up two or three saloons, a livery-stable, and the other addenda that go to make up a town.

In the naming of the new town there was much variety of disposition. To begin with, the Spanish population and donors of the land wanted it to be named Todos Santos (All Saints), by which name it is recorded; the

Americans had dubbed it "Drunken Indian" with that genius that the early pioneers displayed for the science of nomenclature; but, it was left for the *Contra Costa Gazette* to give it the name of Concord, by which it is now known, habitually if not officially.

Concord is a thriving town, possessing two excellent hotels and many places of business. In 1870 a school was started in its precincts, and first taught by Mrs. Henry Polley, *née* Annie Carpenter. In 1873 a handsome Roman Catholic church was commenced, and was duly dedicated November 5, 1876. In the town stands the Plaza, a park-like inclosure, well shaded and laid out with walks, which was completed in 1876. All in all, Concord is a pretty and prosperous place.

TOWNSHIP NUMBER FOUR.

Geography.—Township Number Four is bounded on the north by Suisun Bay, on the east by Township Number Five, on the south by Township Number Two, and on the west by Townships Numbers Two and Three.

Topography.—The principal portion of this township is a series of mountains, the valleys being small though prolific. Mount Diablo, with its surrounding satellites, holds sway in all directions, down whose slopes come shady rivulets that prattle through the densely foliaged cañons. At its northern end we have a level strip of land, the beginning of the great San Joaquin plain.

Soil.—The soil in the portion of the Diablo and smaller valleys included in Township Number Four, is much like that of Santa Clara, consisting mostly of a gravelly loam, mixed more or less with adobe. It produces fair crops of grain, is good for fruit, and, in most places, well adapted to the cultivation of the vine. This is demonstrated beyond a doubt by several vineyards which have been bearing for many years past. There is considerable land around or near the base of the mountain, of a reddish loam, containing more or less mineral matter.

Products.—The principal product of the township is coal. Grain is grown in the valleys and slopes of the foothills to a large extent, while all fruits do well, except apples, which require a cooler climate than is to be found here. Wine-making is carried on quite extensively; principally by Messrs. Kohler, Morshead and Martini, all of which is in quality equal to any produced in the State.

Timber.—The timber found in this township is chiefly that usually confined to the mountain slopes bounding California valleys. The live and white oak is found in abundance, the silvery sycamore and the willow are everywhere met, the beautiful buckeye, the madrona and the laurel, line almost all the cañons, while far away on the hill-sides lie piles of wood, the labor of the woodman, and ready for market.

Climate.—The climate of Township Number Four is generally warm and dry, the temperature in Summer generally ranging fron 70° to 80°, and occasionally when the north wind prevails, there will be a hot spell of three or four days, when the mercury will rise to 95° or 100° in the shade.

For health there are few, if any, better localities in the State, the air being free from fog and dampness, with no malaria, no mosquitos, and no visible cause of disease of any kind. The sea-breezes have the chill all taken from them as they come gently floating over the land, and are first cool enough to be refreshing and to temper the heat which otherwise in Summer would be oppressive.

Early Settlement.—The early settlement of Township Number Four is interesting in the extreme, and is replete with historic lore.

Situated on the Los Medanos Grant is a place now known as New York Landing. Ichabod! Ichabod! At a very early date it was thought that on this spot would rise the metropolis of the Pacific, consequently a large city was laid out by Colonel J. D. Stevenson, of the famous regiment which bore his name, and to it was given the rather ambitious title of "New York of the Pacific." General W. T. Sherman in his "Early Recollections of California," says: "I made a contract to survey for General J. D. Stevenson his newly projected city of New York of the Pacific, situated at the mouth of the San Joaquin river. The contract also embraced the making of soundings and the marking out of a channel through Suisun Bay. We hired, in San Francisco, a small metallic boat with a sail, laid in some stores, and proceeded to the United States ship *Ohio*. At General (Persefer F.) Smith's request, we surveyed and marked the line dividing the city of Benicia from the Government reserve. We then sounded the bay back and forth, and staked out the best channel up Suisun Bay. We then made the preliminary surveys of the city of New York of the Pacific, all of which we duly plotted; and for this work we each received from Stevenson five hundred dollars and ten or fifteen lots. I sold enough lots to make up another five hundred dollars, and let the balance go, for the city of New York of the Pacific never came to anything."

The actual facts are that these two old pioneers, Col. Stevenson and Dr. William Parker, conjointly had purchased the land and had in contemplation the building of a city as stated above, to which they had transported lumber, fixtures, etc., to commence operations. On July 6, 1849, there arrived in San Francisco two brothers and their families, viz. Joseph H., and W. W. Smith, who contracted to proceed to the proposed city and begin building. The initial building in the city was erected for the accommodation of the two families, and according to the contract, was to be occupied by them, "rent free," for the first three months. They took possession about August 1, 1849, and resided in it until they acquired it by purchase. This structure was eighteen by forty feet; subsequently twenty feet more were added to the south end, and a tent running west twenty by fifty feet was tacked on, while the whole edifice received the appellation of the "New York House," a name that has passed into the chronicles of Contra Costa county. Afterwards W. W. Smith added an oven to the premises—one of

magnificent proportions—for besides being capable of baking bread, cakes, and such like, an entire "beef" has been placed on its smooth tiles at night and the next morning brought out "cooked to a turn." This was the first house built in the township, and there, on the point above Antioch, to which it was removed, does it still stand, a landmark to evidence the earlier settlement of the district. At the period of the arrival of the Smith families José Antonio Mesa had a camping spot with a tule roof about half a mile west of what is now Pittsburg Landing, while there was a deserted cabin in the hills, and a patch of tobacco growing immediately below the spring which now supplies the town of Nortonville with water.

Let us for a moment glance at the workings of the New York House and its proprietor. Mr. Smith, besides receiving as much as fourteen dollars per day wages at his trade of carpenter, during the evening occasionally fried fifty dollars' worth of doughnuts, bread, etc., which latter was worth one dollar per loaf, the oven having a capacity of twenty-two loaves. During the rainy season the men employed in plying in boats on the river, often paid a dollar for the privilege of sleeping on the floor of the New York House, in their own blankets; while, in respect to table commodities the chief articles usually provided were bread and fresh beef, to which Mr. Smith occasionally added butter and fruit, the former of which was procured from ships at the price of one hundred dollars per keg of a hundred pounds, and the latter from San Francisco. The New York House was the first building erected between Salvio Pacheco's, at what is now the village of Concord, and Dr. Marsh's residence on Marsh creek. The next house to go up was that of John Beemer, agent for Messrs. Stevenson and Parker, who was also the first Postmaster (Junction postoffice it was called), and Justice of the Peace under the new State Constitution. The third house was one erected for Dr. Forejo, of San Francisco, in which Henry F. Toy opened a saloon. This man Toy, it is said, lived with an Indian squaw, by whom he had a child, but finding these encumbrances too much, exchanged the boy for a horse and the woman for a Newfoundland dog. These houses were all erected in New York of the Pacific; before leaving this city, however, we should mention that Mr. Smith removed in December, 1849, to a farm situated near where the town of Antioch now stands, and leased the New York House to his sister-in-law, Sarah B., the widow of his brother, Rev. Joseph H. Smith, who died February 5, 1850. It was subsequently leased to Zachariah Shafer, who shortly afterwards failed in business and left. The building remained unoccupied for some time and was, as we have already said, finally removed to Smith's Point, a slip of land which juts into the river above Antioch, where it now stands, a monument of the first savings of these pioneer families.

In the Spring of 1850 Howard Nichols, now residing near Clayton, arrived in New York of the Pacific, where he found a thriving place with

several houses of entertainment, the New York House being prosperous, and kept on strict temperance principles. Shortly after Nichols purchased the ship *Mount Vernon*, and turned her into a receiving hulk, alongside of which the steamers took on board and discharged freight and passengers. He then bought the contents of the Kennebec House, a hostelry which had succumbed to fate, and fitting up the *Mount Vernon* as a boarding-house in 1851, received a large number of customers.

At the first election under the Constitution in 1850, there were on shore and on shipboard at New York of the Pacific, from five to eight hundred voters. The proclamation of Governor Riley had been issued to have all needed officers elected, and, if any precinct failed to elect them, the Prefects had power to appoint magistrates or alcades, so that an election could be held. This proclamation divided the districts somewhat, making all east of the Mount Diablo range of mountains in the San Joaquin district. The first elected to the office was W. W. Smith, who soon opened an office in his private residence, but finally removed it to a building at the back of the town, subsequently known as the Pratt House, where the owner resided afterwards until he was murdered. The alcade had charge of all sanitary, civil, criminal and judicial affairs of his district, with full power to appoint his officers, levy taxes and collect fees. This officer spent some two thousand dollars in time, money and medicines, in caring for the sick and dead, none of which was ever reimbursed, and he found the position honorary and very expensive.

In those early days the business between San Francisco and the inland towns, situated on the San Joaquin and Sacramento rivers, was done entirely by sailing craft of every conceivable size and shape, the time consumed in a trip being often wearisome and lengthy. Most of these usually called at New York to take in fresh provisions, and brought considerable trade, but, in 1850, steamer after steamer was put upon the interior lines, which, by their more rapid transit, broke up the business at this point, and considerably lessened the importance of the embryo city.

Besides the early settlers mentioned above, there was a Mr. Lord, who was supercargo of the bark *Oscar*, of Bangor, Maine, he being also agent for the ship *Orderly Clerk*. On the first named vessel the steamer *Governor Dana* was brought out in sections, lengthened and re-built at New York of the Pacific. Another prominent gentleman was H. H. Hartley, who was the first practising lawyer in the district. Of him the following is related: Mr. Hartley was a native of England, and in that country had studied and practised law. The phraseology of the British courts he brought with him, and commenced addressing the court as "My Lord." In a case before the Alcalde at New York, Hartley was counsel for the plaintiff, the master of the ship *Kennebec*, and Mr. Bodfish the attorney for the defence. On rising to address the Bench, Hartley, instead of commencing "May it please the Court," began "May it please your Lordship," when he was called

to order by the opposing counsel. He very naturally inquired wherein had he erred, when he was informed by Bodfish that he should have said "please the Court—we are in the United States of America—we have no Lords here;" the Court ruled the point of order well taken, but the habit was so strong in Mr. Hartley that it was long before he broke himself of it. At the period of which we write, Mr. Hartley was the Secretary of the Company to which the ship belonged that Mr. Lord was agent for, while Mr. Bodfish was agent for the Kennebec company. A brother of Bodfish was proprietor of one of the most popular hotels in the town, while one of them had his wife and sister with him. These men owned a small steamer and several small sailing craft on the upper Sacramento river, and when communication on the inland waters became an absolute fact and no longer a matter of conjecture, they transferred their domiciles to Red Bluff in Tehama county. J. C. McMaster is one more of the very early residents of the district. He came to California in 1849, in the same vessel as did the Smiths, and after passing some time at the mines and Stockton came to New York of the Pacific, and commenced work on the buildings then rising there. He afterwards, in partnership with William Dupee, purchased the sloop *Flying Cloud*, fitted her up and placed her on the line between San Francisco, Stockton and Sacramento. Mr. McMaster is now the much-respected Supervisor from Township Number Five.

Since these halcyon days, New York of the Pacific has ceased to be anything but a name, the place is usually called New York Landing or Black Diamond, the latter being the designation of the Post-office there established.

Let us now glance at another portion of the township. In the year 1852 Captain Howard Nichols left New York, and settled where he now resides, at the foot of Mount Diablo, not far from the town of Clayton. Here he found already located J. D. Allen, near where Mr. Nichols now lives; a man named Evans dwelt about a mile and a half from the present residence of Nicholas Kirkwood; while William Taynton came about the same time, and settled where they live now. At this period the Clayton estate was the property of Alexander and George H. Riddell, of Benicia. We are given to understand that Captain Lewis and a family named Robertson also lived here about that time.

In the year 1855 George W. Hawxhurst located where the town of Somersville now stands, and commenced prospecting for coal, discovering and locating the Union vein, in March, 1855. In the Spring of 1856 Charles Rhine settled in the township, and opened a store about two miles from Clayton, on land now occupied by William Hawes. When he came, James McNeil lived on the same section; Joshua Marsh was where Captain Russelman now resides; John H. Weber was where he at present is; A. Richardson lived near the "Divide," and the Stranahan Brothers were

H S Shuey

also located in the township. In this year Nicholas Kirkwood took up his abode on the land he to-day occupies, to be followed in the succeeding year, 1857, by James Gay and Daniel S. Carpenter, in New York valley.

In the meantime the town of Clayton had been established by Joel Clayton, hotels built and stores opened by Romero Mauvais and George Chapman, Charles Rhine and A. Senderman respectively, and much expected from the looked-for discovery of coal in paying quantities in the vicinity—which never came. Clayton, however, has its beauties of location to enhance it in the eyes of the citizens of Contra Costa county. Standing at the head of Mount Diablo valley, with the mountain, nearly four thousand feet high, in the background, with ranges of hills on either side covered with verdure, and many of them cultivated in grain nearly to their tops, you look down across the valley covered with grainfields and dotted with farm houses, orchards, vineyards, and scattering oaks, to the Straits of Carquinez. Over these waters are passing steamers and sailing craft, laden with the products of the San Joaquin and Sacramento valleys, to San Francisco, Benicia and Port Costa, or with the return freights of merchandize, agricultural or mining implements to supply the wants of the people residing in those valleys. Across the Straits may be seen the military barracks and the United States Arsenal, and portions of Benicia. Still beyond, in Napa county, may be seen the blue and purple crest of Mount St. Helena, which sometimes, in the months of February and March, is made more prominent by its mantle of snow, glistening in the sunlight, and warning the husbandman and fruit-grower of the dangers of frost to their crops. The Coast Range of mountains in the distance presents a barrier to this charming view, which, for beauty, variety and picturesqueness, is rarely surpassed.

In the year 1856, Jerry Morgan, who, we have already seen, settled in the Ygnacio valley in 1853, had been out bear hunting at the back of Mount Diablo, when he discovered the tract of land now by common acceptation called Morgan Territory. It was not thought worth surveying by the Government; Morgan, however, was struck by its beauties of scenery and adaptability for pasturage for stock; he therefore settled on it, and in the following year, in the month of October, brought his family thither. In Morgan Territory, Marsh creek has its headwaters, and goes purling and babbling through its length, o'ershadowed by waving branches, overhanging crags and the huge sides of Diablo. When Morgan came to the place there was a man named Steingrant living on the place now owned by John Roche, where he had a corral, and was engaged in herding government stock. He was the only settler in the rocky district. In 1857 Alonzo Plumley, now residing near Byron, in Township Number Five, acquired a possessory right from Morgan of one-half of the tract as originally taken up, and settled on it. In 1858, John H. Weber and Marion Francis Gibson

located where the widow of Robert Howard now resides, Weber living on the land now owned by him below the school-house.

In 1858 a school was started in Morgan Territory, on the place where Mrs. Howard now lives, not far from the site of the present school-house, and was first taught by William Ellis, since when a school has been maintained regularly.

In 1859 Ransome Woods settled above Mr. Morgan, while Solomon Perkins located on the place now owned by Robert Lewis; and John Gibson, with Christopher Leeming, came to the ranch of Samuel Foster, on Curry creek. They were bought out by Edward Curry in 1860.

The ten thousand acres which Mr. Morgan fenced in on first taking possession teemed with game of every kind. In one year he killed no fewer than forty-six bears, he says, while the streams abounded with fish—in fact, a hunter's paradise. In 1856 he was three days getting into the tract with his wagons, passing where the town of Clayton was built the year after.

It is not our purpose here to go into the subject of the discovery of coal in this and the adjoining township; that will be found treated elsewhere in this volume; suffice it to say, that from its first being put to a practical test in 1859 up to the present time, 1882, the yield has been large and the improvement immense. With the realization of the dreams that brought inexhaustible coal fields, the two mining towns of Nortonville and Somersville sprang into existence, and have since been busy centers of industry, and a credit to any land.

In the year 1860 Henry Polley settled in Clayton, and later commenced farming, and still resides in its vicinity.

In 1861 the first house was built by Noah Norton in the town of Nortonville, on a site now covered by one of the coal "dumps;" about a year after he erected another building which still stands. There were several people here then, among them being Atwell Pray, who, with Charles Gwynn, started the Black Diamond Hotel in 1863. There had been a hotel, however, opened at the Cumberland mine in 1861, by George Scammon. At Somersville, in this year, there was a boarding-house at the Independent Shaft, kept by a man named Griffin, the owner of the American Exchange building in Antioch, while, on the site of the Pittsburg Hotel, there was a similar house to the one now standing, kept by a man named Hendricks. In 1863 a store was opened at Somersville by A. Senderman, while two years later, 1865, Joel Clayton opened a store in Nortonville nearly opposite where now is the office of Morgan Morgans, Mine Superintendent.

On Wednesday April 8, 1863, an hour or two after midnight, a most fatal fire broke out in the boarding-house of Sydney Maupin, near the Pittsburg Coal Mine. The ground the premises occupied is that on which now stands the Pittsburg Hotel of George H. Scammon. In it Mr. Maupin and three of his children perished. Mr. Maupin was an old resident of the county,

and was highly esteemed. Once more we have to chronicle the devastations of the fiery fiend. On February 28, 1864, the little town of Clayton was almost blotted out of existence. Two hotels and several other places of business were destroyed to the amount of about fifteen thousand dollars, the whole property lost being uninsured. In the year 1865, or perhaps earlier, a school was opened on the site of the present building, in Somersville, and was taught by T. A. Talleyrand. The following year, 1866, saw a like institution in full force in Nortonville, under the preceptorship of D. S. Woodruff. This building stood near the present shaft, but was removed to the top of the hill in 1870, the original building having been added to it, until at present it boasts four departments. In 1867 the Congregational Church at Clayton was built, while, at Somersville, Post No. 28, Grand Army of the Republic, was organized April 12, 1869, and in the same year a neat little church erected.

On March 9, 1872, we have to record the death of Joel Clayton, a gentleman who had done much towards the advancement of the township and county, and who was intimately identified with the early discoveries and developments of the coal mines, while in October, of the following year, death claimed E. G. Stranahan, who was crushed by a caving bank while digging a cellar.

On October 16, 1874, the engine-house of the new shaft and hoisting works of the Black Diamond Company, at Nortonville, was burned; and on July 24, 1876, a terrible disaster occurred in the same town, whereby several persons lost their lives.

On June 18, 1877, the Union Hotel at Somersville was totally destroyed, for the second time, by fire; while on December 28, 1878, another conflagration reduced to ashes the store of Ferdinand Gambs there, the loss being fifteen thousand dollars.

We will now pass on to the especial histories of the towns of Clayton, Nortonville and Somersville.

CLAYTON.—The little village of Clayton lies snugly nestled at the foot of Mount Diablo, on its northern side, and at the head of Mount Diablo valley, which extends from the town of Pacheco, in a southeasterly direction, to the foot of the mountain, a distance of some eight or nine miles The place takes its name from Joel Clayton, whose son is still a resident of the neighborhood, and was started in 1857, Mr. Clayton only laying out one street, and a few lots on either side of it. His object in establishing a village at all, was the prospect of finding coal in the vicinity. He had been, for a number of years, an active and extensive explorer on the coast for coal and other mineral deposits, and was intimately identified with the early discoveries and development of the coal mines in Contra Costa county.

In or about 1858 he had a town site surveyed, by K. W. Taylor, and

the lots offered for sale; with this, settlers arrived, and soon a cluster of houses sprang up.

The first house remembered in what is now the village, was a small dwelling that stood on the site of the present residence of Charles Rhine, occupied by Mrs. Rees, but it was constructed before Clayton was. In 1857 a Frenchman named Romero Mauvais built a place, which he opened as a tavern, that stood on the site now occupied by the Clayton Hotel; while not long after George Chapman erected a hotel alongside of the present livery stable of James Curry. In that same year Charles Rhine moved his business from the point where he had first located, two miles out of town, and opened a store next to Mauvais' hotel; and not long after A. Senderman opened a store next to the Chapman hostelry: thus had the town its start, and prospered for a few years.

In 1864 it received its first blow. On February 28th, a fire of considerable magnitude caused the destruction of property to the amount of about fifteen thousand dollars, among the buildings consumed being the Clayton and Union Hotels, as well as Rhine's store and other places of business.

In the year 1857 a congregation was organized in the house of Captain Howard Nichols by a Presbyterian minister, whose name is now unremembered; they were, however, subsequently amalgamated with a Congregational Church which had been formed, the first preacher in which, it is thought, was the Rev. David McClure, now of Oakland. Ten years after, November 10, 1867, a Congregational Church building was dedicated by the Revs. E. C. Bissell of San Francisco, and James Warren, and in 1873, a cottage parsonage was completed and attached to the church property.

Another serious loss the little town sustained was the death of its parent, Joel Clayton, on March 9, 1872. With the demise of this gentleman, Clayton lost its leading spirit, and to this day has not recovered its pristine promise.

In the month of July, 1873, we hear of large Temperance Mass Meetings being held in the village, where eminent speakers came to take part from all quarters, but whether the doctines then inculcated have borne fruit, we are not in a position to state. The only item of interest we know of having happened in the year 1874, was the sad one, of the death of E. G. Stranahan; while employed in the excavation of a cellar he was crushed by a falling mass of earth, on Friday October 23, 1874. A few lines above we have spoken of Temperance meetings. May 6, 1876, Unity Lodge, No. 11, I. O. G. T. elected the following officers: W. H. Wilson, W. C. T.; Miss Kirkwood, W. V. T.; Mr. Pratt, W. S.; Mrs. M. Clayton, W. F. S.; Miss L. Clark, W. T.; Miss B. McLain, W. M.; C. Clark, W. I. G.; Charles Taylor, W. O. G.; Rev. Mr. Ross, W. C.; Miss L. Weston, W. R. H. S.; Mrs. C. Ross, W. L. H. S.; O. A. Ross, P. W. C. T. And now came the never-to-be-forgotten Centennial year, with its jubilees in every quarter of

the United States. At Clayton the celebrations were more than ordinarily grand on the fourth of July, 1876. Foreign talent was imported to do honor to the occasion, among those taking a part being: Rev. M. Ross, Miss Pixley, Miss Miriam Porter, Miss Martha R. Chase, Miss Kelley, with Messrs. E. R. Chase and Hale.

No portion of the county is so peculiarly adapted to the growth of grapes as that surrounding the town of Clayton. The land in that vicinity is essentially a grape soil, and the climate is especially favorable for grape raising. The vineyards there have invariably given an abundant yield each year, and have proved profitable to their owners. This Spring, 1882, a large acreage has been planted to vines, and a great number of orchards have also been laid out. It is safe to say that some time in the not remote future, Diablo valley will be one vast vineyard, and that Clayton wine will be manufactured, equal to any produced in the State.

First Congregational Church.—Was organized February 1, 1863, under the ministry of Rev. John J. Powell, who continued the acting pastor till March of the following year. From this time until June, 1865, the church was without a stated minister, but met for public worship continuously, and conducted a Sabbath-school. At the latter date Rev. B. S. Crosby supplied the church in connection with Congregational churches at Somersville and Antioch. He served in this way about a year. Hitherto worship had had been conducted in the school-house; in the Summer, however, of 1866, under the general supervision of their pastor, Rev. Mr. Crosby, the people commenced building a house of worship, the one at present occupied, and completed the following year. In 1873 they built a parsonage. After Mr. Crosby left, the church was successively supplied under the ministry respectively of Revs. James W. Brlan, from March 1, 1867, to November 28, 1868; Miffin Harker, from June 1, 1869, to June 1, 1871; P. R. Bradshaw, from June 1, 1871, to June 1, 1872; W. C. Merritt, from January 19, 1873, to June 15, 1875; O. A. Ross, from August, 1875, to September, 1876; Rev. S. H. Meade succeeded as pastor and continued nearly three years. In May, 1880, Rev. J. H. Story commenced serving the church as their pastor, and is the present incumbent.

NEW YORK LANDING.—It will not be necessary for us to here go deeply into the history of the former New York of the Pacific; that will be found fully treated in the early settlement of this township. The landing still has its prestige, however, as a place of call, for all boats plying on the Sacramento and San Joaquin rivers stop there, while it is connected with Nortonville by the Black Diamond Railroad. Save as the landing it is, New York of the Pacific has now no importance, although lately an attempt has been made to establish a salmon canning industry there. At present it boasts of two of these establishments, the Pioneer and Black Diamond, both

having their head offices in San Francisco, while its wharfs are spacious and worthy a visit.

As we have already remarked the postoffice at this point is called Black Diamond, and is vicariously dubbed New York.

PIONEER CANNERY.—This establishment is the property of King, Morse & Co., of San Francisco, and was completed January 2, 1882, on which date operations were commenced. Employment is given to about one hundred persons during the packing season, while the commodious structure comprises departments for fish-cleaning, can-making, filling, soldering, bath-room, cooking, lacquering and labeling. The dimensions of the building are one hundred and fifty by eighty feet, built of frame. The head office is situated at the northwest corner of Broadway and Sansome streets, San Francisco.

NORTONVILLE.—The discovery of the famous Mount Diablo coal fields is the immediate cause of the existence of the town of Nortonville. In the year 1859, December the twenty-second day, Francis Somers and James T. Cruikshank discovered the now well-known Black Diamond vein of coal, and with their associates located the lands afterwards known as the Manhattan and Eureka coal mines. George W. Hawxhurst, George H. P., and William Henderson, in company with Francis Somers, opened the cropping of the same vein, on what was afterwards known as the Black Diamond and Cumberland mines; but believing that the expense of making roads was beyond their means, they made no attempt to secure title. The Black Diamond mine was not long after located by Noah Norton (from whom comes the name of Nortonville), and the Cumberland mine went into the hands of Frank Such and others. These lands, with others adjoining, have since become noted as the Black Diamond Coal Mines.

Frank Such disposed of his interest in the Cumberland mine to Messrs. C. T. Cutler, Asher Tyler, Josiah Sturges and L. C. Wittenmyer, all of Martinez, and it was from their efforts and means that it was successfully opened, worked, and roads constructed from it to the towns of Clayton and New York Landing. They also assisted Noah Norton to open the Black Diamond mine.

The town of Nortonville is comprised in the basin in which are located the Cumberland, Black Diamond, Mount Hope and other lands, but when the mines were first opened the whole district was known as Carbondale.

At first not much was done in the way of mining, those interested being principally engaged in prospecting. The coal was extracted from a hole in the side of the hill and taken away in sacks from the Cumberland mine, which was about a thousand feet above the present Nortonville, the coal being sent into the valley on an "incline," one loaded car hauling up an empty one.

The first house was built in Nortonville in 1861 by Noah Norton, its site being now covered by one of the "dumps;" but about the same time there was a hotel or boarding-house at the Cumberland mine kept by George H. Scammon. In 1862 Mr. Norton built another house, the second in the town, which still stands, while the first hotel in Nortonville proper was opened in 1863 by Atwell Pray and Charles Gwynn, and was named then, as it is to-day, the Black Diamond Exchange. In 1865 a store was opened on ground nearly opposite the present office of the Mine Superintendent, Morgan Morgans, by Joel Clayton; and in the following year, 1866, a schoolhouse was put in operation under the tuition of D. S. Woodruff. The building stood not far from where the shaft now is, but in 1870 it was moved to its present position on the top of the hill. Here it has developed into a seminary with four departments, the school being maintained, chiefly, by a charge of one per cent. on all moneys paid through the Superintendent's office.

With the opening and working of the mines, a large number of practical miners were attracted to the locality; Great Britain sent her sons from the English and Welsh coal pits; Americans who had gained experience in Pennsylvania also found their way to the Black Diamond coal mines, until a cosmopolitan community has now collected in a small compass, the like of which could be found in no other country in the world.

Up till the year 1874, all went without mishap to the new mining town. On the 16th October of that year a disastrous fire occurred, which consumed the engine-house of the new shaft and hoisting works. The fire was discovered a little after three P. M., the whole interior of the building being filled with smoke when the discovery was made. The engine-house was a very heavy two-story frame building, fifty-five by thirty-six feet on the ground, standing back some forty feet or more from the shaft, over which stood a very heavy and costly derrick frame of a height as great, or greater, than the engine-house. The derrick tower was crowned with a covering which formed an enclosed room or house, utilized in the working operations, while it served as covering for the shaft-opening and derrick works. This house took fire from the engine-house and was entirely burned, but the derrick frame was saved by turning on water through the pipes laid for carrying steam, and by the exertions of the people, who turned out *en masse*, and formed bucket brigades for passing and throwing water.

There can be but little doubt that the conflagration was the work of an incendiary, as there had been no fire about the building at all, and the rain had soaked everything around it, so that it was not possible that the blaze could have been communicated to it accidentally. Moreover, although all the woodwork of the interior of the building would naturally have absorbed moisture from the atmosphere to a degree that would have prevented its burning quickly, it was, when the fire was discovered, filled with flame and

smoke, while the sides and roof were still intact, and the finding of three burned five-gallon kerosene cans with the remains of the machinery after the fire, renders it probable that the inflammable fluid had been poured over the upper floor before the fire was set to it.

Once more have we to chronicle destruction. On this occasion our tale is of loss of life, one of those untoward accidents which makes the miners' career one of extreme danger. The soldier loses his life on the battlefield with God's beautiful world around him; it is in the gloomy bowels of the earth that the miner meets death, but with not the less courage as a man of peace than he whose duty brings him within ken of the hail of battle. Well may Dr. Smiles have said: "Courage is the quality which all men delight to honor. It is the energy which rises to all the emergencies of life. It is the perfect will, which no terrors can shake. It will enable one to die, if need be, in the performance of duty."

On July 24, 1876, this terrible disaster occurred. An eye-witness describes the catastrophe thus: About three P. M. of Monday rumors of a terrible catastrophe spread through the village. Crowds began to gather around the mines, very anxious to know what the matter was. Women—wives and mothers—anxious for their loved ones, children trembling for the safety of their fathers, friends in fearful suspense for friends, thronged the approaches to the mines. The suspense was not long. It was broken by a terrible revelation. No less than six dead bodies were brought up from the mines in the course of an hour or two, together with eight persons more or less injured. The cause of the accident was a powder explosion, let off in the ordinary operation of mining, and that igniting sulphur gas and raising large volumes of what the miners call "black damp," or fine coal dust. Those who were brought up dead, viz., M. Lewis, aged thirty-eight; W. Gething, aged thirty-five; D. Griffiths, aged forty-two; G. Reynolds, aged twenty-nine; T. Watts, aged twenty-eight, and William Williams, aged eighteen, were smothered by the black damp, their death being almost instantaneous. The survivors, Walker Williams, Body Dumas, T. James, —— Smith, T. Davies, D. Watts, H. Mainwairing, —— Marengo, were terribly scorched by fire. On the day following an inquest was held by Justice Woodruff, and a decision arrived at in corroboration of the above facts. On Tuesday night, the 25th, Dumas died, as did also D. Watts, after lingering two weeks.

The town of Nortonville is connected with New York Landing by a line of rail, while its mines find employment for about three hundred men and boys. The whole population is estimated at nine hundred.

Social Encampment, No. 50, I. O. O. F.—Was instituted December 18, 1874, with the following charter members: James Rankin, Thomas S. Brown, John H. Smith, Samuel Brown, John Trengove, George H. Scammon, Evan Thomas. The orginal officers were: James Rankin, C. P.;

Thomas S. Brown, H. P.; William Hughes, S. W.; Samuel Brown, Scribe; George H. Scammon, Treasurer; John Trengove, J. W.; Evan Thomas, Guide; Thomas Watson, 1st W.; Theo. C. Ellis, 2nd W.; Richard Evans, 3rd W.; William M. Sellars, 4th W.; Caleb Edwards, 1st G. of T.; William W. James, 2nd G. of T.; John Richards, I. S.; James Horne, O. S. This encampment, which is in a most flourishing condition, has at present on its roll twenty-nine members. The officers for the current term are: John D. Evans, C. P.; Richard Evans, H. P.; John N. Jones, S. W.; D. B. Davis, Scribe; James Rankin, Treasurer; Mark Brown, J. W.; Watkin P. Morgans, Guide; Israel Lands, 1st W.; Hugh Evans, 2nd W.; Thomas J. Davis, 3rd W.; Thomas Pritchard, 4th W.; James Kelly, I. S.; A. M. Phalin, O. S. Meets on the second and fourth Wednesday of each month, in the hall of the Knights of Pythias, at Nortonville.

Black Diamond Lodge, No, 29, K. of P.—This lodge was organized by L. M. Manzer, G. C., October 24, 1874, with the following charter members: John Agnew, Louis Abrahams, Edward L. Allen, Samuel Brown, Joseph Barnard, Charles Cordray, Robert Clare, F. J. Deeman, John A. Davis, David B. Davis, James E. Davis, J. N. Evans, William J. Griffith, D. P. Jones, William T. Jones, Robert Learn, A. Moore, Morgan Morgans, W. P. Morgans, T. J. Oliver, R. Prutton, William Prutton, A. A. Paul, John Piercy, James Rankin, George M. Reynolds, William J. Tingman, Asher Tyler, D. S. Woodruff, E. L. Wemple. The first officers chosen to serve were: Watkin P. Morgans, P. C.; F. J. Deeman, C. C.; A. A. Paul, V. C.; Robert Prutton, Prelate; D. S. Woodruff, K. of R. & S.; William J. Tingman, M. of F.; Morgan Morgans, M. of E.; J. N. Evans, M. at A.; J. Barnard, I. G.; L. Abrahams, O. G. The lodge, which is in a flourishing condition, has on the roll forty-eight members, while the officers serving for the present term are: William R. Jones, P. C.; John M. Phillips, C. C.; Digory Brey, V. C.; David B. Davis, Prelate; Frank Clifford, K. of R. & S.; Richard Havard, M. of F.; Louis Abrahams, Sr., M. of E, William T. Jones, M. at A.; Erastus T. Laselle, I. G.; William J. Griffith, O. G. Night of meeting, Thursday.

Carbondale Lodge, No. 288, I. O. G. T.—This lodge of Good Templars was instituted October 18, 1867, and the Charter members were as follows: James Muir, James Cerley, Joseph Annett, John Williams, Miss Emma Taddler, Mrs. E. Saddler, Mrs. Mary Wall, Mrs. Minda Scammon, Miss Fenia Wall, William McHenderson, Francis Taye. The original officers were: James Muir, W. C. T.; Lizzie Muir, W. V. T.; Fred Horsewell, W. Chaplain; David Horsewell, W. Sec.; Mary Wall, W. Asst. Sec.; Francis Taye, W. Fin. Sec.; William McHenderson, W. Treas.; James Kelly, W. Mar.; Mary Moor, W. Dep. Mar.; William Watson, W. I. G.; John Williams, W. O. G.;

Maud Scammon, W. R. H. S.; Josephine Wall, W. L. H. S.; Joseph Harvest, P. W. C. T. The lodge is in a flourishing condition, and has a membership of seventy. The present officers are: Lizzie D. Jones, W. C. T.; Annie Harris, W. V. T.; Samuel Boxill, W. Chaplain; Ellis Griffiths, W. Sec.; Annie Lewis, W. Asst. Sec.; Thomas L. Davis, W. Fin. Sec.; M. M. Clifford, W. Treas.; Fred Saddler, W. Mar.; Catherine Jones, W. Dep. Marsh.; Katie Engler, W. I. G.; Jesse Hughes, W. O. G.; Frank Clifford, W. R. H. S.; Henry T. Boxill, W. L. H. S.; L. K. Abraham, P. W. C. T. Meets every Wednesday at their own Hall, they owning the property.

PITTSBURG LANDING.—This is the landing for the mines at Somersville, with which it is connected by the Pittsburg Railroad. It is situated about two miles east of the New York Landing, and is not so much a public village as it is the private residence, offices and grounds of L. L. Robinson, who became owner of the Los Medanos, or, as it is more generally known, the New York grant, in 1871.

His buildings are constructed on a swell of ground, about one hundred and fifty yards from the bank of the San Joaquin, and some fifty feet above the river's level. Here he has erected several buildings, which, from a distance, lend the appearance of a village resting in shady woods; but it is purely a private undertaking in connection with coal mines. At Pittsburg Landing, steamers occasionally halt alongside its spacious wharf, while, for his own private purposes, Mr. Robinson has another extensive jetty situated between Black Diamond (New York) and Pittsburg Landing. The post-office here is officially known as Cornwall.

SOMERSVILLE.—We have just seen how one Francis Somers, in company with James T. Cruikshank, discovered the vein of coal which has since become famous as the Black Diamond vein, on December 22, 1859. He and their associates, H. S. Hawxhurst and Samuel Adams, located the lands which were afterwards known as the Manhattan and Eureka Coal Mines. These, with the Union and Independent, comprise the mines forming the basin in which the town of Somersville is situated, and from which there is a railroad to Pittsburg Landing, which takes its name from the Pittsburg mines.

The Pittsburg coal mine was opened in December, 1860, and was located by George H. P. Henderson, who entered into a contract with Ezra Clark to open the mine, in the course of which the noted Clark vein was discovered. The Manhattan mine is in the same neighborhood, while a short distance below it is the Independent. The Union is in the vicinity of the Pittsburg.

How the name of Somersville came to be applied to this town is clear; but it is not so clear who it was that built the first house within its limits.

Richard Stege

We have seen that the Pittsburg mine was opened in the last month of the year 1860; it is only proper, therefore, to conjecture that the initial building was constructed in that year. We have been informed, however, that in 1861, Griffin kept a boarding-house near the Independent shaft, and a similar house to the present Pittsburg Hotel, was conducted by a man named Hendricks on its site, who, if this correct, must have disposed of in some manner to Sidney Maupin, for we have seen that on April 8, 1863, it was destroyed by fire, and Maupin, with three of his children, perished in the flames. In 1863, also, we believe the first store to have been opened by A. Senderman, while two years later a school was instituted and taught by T. A. Talleyrand, on the site of the present building.

As the years followed the population of these towns increased with the amount of work to be performed, until a goodly number were assembled on the slopes and dips of the cañon in which the village is situated.

On April 12, 1869, we find Post No. 28, of the Grand Army of the Republic, inaugurated, and the following gentlemen chosen officers: Philip Walker, Commander; Albert Banks, Senior Vice-Commander; Fred. Horsewell, Junior Vice-Commander; Thomas S. Brown, Adjutant; Nelson S. Black, Quartermaster; Christian Humble, Surgeon; Owen Evans, Chaplain; John Tremey, Sergeant-Major; D. Gillespie, Quartermaster-Sergeant. In 1869 a neat little church was completed. Twice in late years has Somersville been visited by the devouring element, once on June 18, 1877, when, for the second time in its history, the Union Hotel was destroyed; and on December 28, 1878, when the store of Ferdinand Gambs, with all its contents, was lost.

The little town is at present in a flourishing condition, its inhabitants are well behaved, while from the short distance that separates it from Nortonville the brethren of the several societies, to all intents, live as one community.

Mount Diablo Lodge, No. 128, I. O. O. F.—This Lodge was instituted October 27, 1866, with the accompanying charter members, who were also the first officers: John H. Williams, N. G.; Thomas S. Jones, V. G.; A. E. H. Stover, R. & P. S.; William Prosser, T.; Joseph Jones, W.; R. D. Reese, Con.; Joseph Lightowler, O. G. They number now one hundred and twenty-six members on the roll, while the Lodge is in a flourishing condition. The officers now serving are: A. W. Lee, P. G.; Jacob Lando, N. G.; Henry Treglown, V. G.; Thomas Floyd. R. S.; John Trengove, P. S.; G. H. Scammon, T.; James C. McDermott, W.; Edward McLeod, Con.; Richard Evans, O. G.; H. E. Ward, I. G.; David B. Davis, R. S. N. G.; John D. Evans, L. S. N. G.; Thomas H. Thomas, R. S. V. G.; Thomas Richmond, L. S. V. G.; William W. Davis, R. S. S.; John P. Hughes, L. S. S.; Samuel Brown, P. G., Chaplain. Lodge meets every Saturday night.

Somersville Lodge, No. 210, A. O. U. W.—Was instituted December 2, 1881, with the following charter members: C. McDermott, Thomas L. Morgan, Thomas Floyd, S. W. Nellis, Robert A. Martin, Robert L. Lee, James B. Nicholls, George Dallow, Charles E. Boltz, Albert B. Habeneicht, who were the original officers. The present membership is thirty-two, and the officers for the current term are: J. C. McDermott, P. M. W.; T. Floyd, M. W.; Charles Cartwright, F.; S. W. Nellis, O.; John Call, Recorder; George Dollaw, Financier; Patrick Brown, Receiver; John Turner, G.; A. B. Habeneicht, O. W.; Charles Boltz, I. W. The Lodge is in a flourishing condition and meets in Red Men's Hall every Friday evening.

TOWNSHIP NUMBER FIVE.

Geography.—Township Number Five is bounded on the north and east by the San Joaquin river; on the south by Alameda county, and on the west by Townships Numbers Two and Four.

Topography.—The topography of this township is varied. Along the northern and eastern portions, which lie on the San Joaquin, we have a level plain, which continues for its whole eastern face, fronted by a large area of tule delta, intersected by many creeks and sloughs. Its center, south and west is extremely hilly, with fertile valleys lying between the ridges, while the cañons, through which gambol the smiling rivulets, are shaded with a variety of woods. In the coal region we have bold, bald mountains, proclaiming the wealth which lies concealed within their bosoms; while the plain—the commencement of the great valley of the San Joaquin—is most fair to look upon.

Soil.—Like in Township Number Four, many parts are suited to the rearing of fruits and vines, while in the valleys the soil is especially adapted to the cultivation of the cereals. In the San Joaquin district more rain is required than in those vales farther inland, and it must be a hard year indeed when an average crop is not forthcoming. The reclaimed tule lands are found to produce very fine crops, while they are also utilized for pastoral purposes.

Products.—Chief among the products of Township Number Five is coal. In the valleys and on the sloping foot-hills grain is grown in large quantities, while fruits and vines do well in the inland dells, away from the heavy breezes which sweep the San Joaquin district.

Timber.—In many portions of the township we have a variety of timber, the hillsides and cañons being covered with a most luxuriant growth. Beyond for domestic uses, however, they are of little practical value. Somewhat to the east of Antioch we have a patch of considerable extent of chaparral and scrub-oak, which is the only one of this nature in the county.

Climate.—The climate of Township Number Five may be classed as being warm and dry, in the summer, the temperature ranging from 70° to 80°, and not unseldom attaining, when a north wind prevails, to 95° or 100°

in the shade. It is, however, free from fogs; and though a strong westerly wind blows, it is tempered by its journey of fifty miles from the ocean and produces a happy medium between chilling mists and torrid heat.

Early Settlement.—Would it were possible to banish grim death, preserve the ancient settler in his pristine vigor, and retain him with his memory unimpaired; were such things possible, then 'twould be an easy task to pen the recollections of the courageous men who were the harbingers of joy and comfort to what is now a fertile district and a contented people.

The history of Township Number Five takes us back nearly half a century. In or about the year 1836, there settled upon the New York Rancho, not far from the place now called Kirker's Pass, José Miguel and Antonio Mesa, who made application to the Mexican Government for a grant of the place to the extent of two leagues. The boon was granted under the name of Los Medanos. During the same year, application was made for a grant of the Cañada de los Vaqueros Rancho by Mirando Higuera and Alviso, who settled upon it; and the Rancho Los Meganos, consisting of three square leagues of land, was granted to José Noriega. During the year following, 1837, Noriega sold the Rancho to Dr. John Marsh, who settled upon it in the same year, and occupied it until 1856.

Let us, however, turn to inquire who Dr. Marsh was? The better to answer we will quote his own words, as found in a letter written from his ranch in 1846, to Hon. Lewis Cass. The Doctor says: "I left the United States in 1835 and came to New Mexico, and thence traversing the States of Chihuahua and Sonora, crossed the Rio Colorado at its junction with the Gila, near the tide water of the Gulf of Mexico, and entered this territory at its southern part. Any more direct route was at that time unknown and considered impracticable. I have now been more than ten years in this country, and have traveled over all the inhabited and most of the uninhabited parts of it. I have resided eight years where I now live, near the Bay of San Francisco, and at the point where the rivers Sacramento and San Joaquin unite together to meet the tide-water of the Bay, about forty miles from the ocean. I possess at this place a farm, about ten miles by twelve in extent, one side of which borders on the river, which is navigable to this point for sea-going vessels." With almost prophetic instinct the Doctor concludes the paragraph with these words: "I have at last found the Far West, and intend to end my ramblings here." Twenty years later he was most foully murdered.

Here did Dr. Marsh dwell in a small adobe house, not far from where he afterwards constructed his famous "Stone House." Therefore it will be seen that he was the first native-born American who ever resided permanently within the township now under consideration, or, indeed, within the county, as comprised within its original territorial limits.

Until about 1847, and during the first ten years of his residence on his ranch, his only neighbors were those Spanish families who owned the lands, viz: the Mesas on the New York Rancho, Mirando Higuera on the Cañada de los Vaqueros, Salvio Pacheco on the Monte del Diablo, and Ygnacio Sibrian on the San Miguel; all then considered to be adjoining Ranchos, the haciendas or dwelling places upon each being from twelve to fifteen miles away from his. Of those living further away, from twenty to forty miles distant, were José Maria Amador at the San Ramon Rancho, Pacheco and Castro on the Rancho also called San Ramon, Ygnacio Martinez at Pinole, Moraga at the Redwoods, Valencia at the Acalanes, the family of Francisco Castro at San Pablo, the vaqueros of William Welch on the Welch Rancho, and the widow of Felipe Briones, with her family, on the Briones Rancho.

It is hard to conjecture a more solitary life than this for an educated, society-loving American.

He was not thus to remain long a solitary stranger in a land of beautiful solitude. We have seen that Hon. Elam Brown and others soon cast their lot in the county. Again, on the discovery of gold, more foreigners, as the Californians called them, arrived, and among these the second settlers, other than native-born, in the township.

This honor belongs to the Smith family, whose fortunes we have followed in our remarks on Township Number Four. It is our province now to tread in their footsteps during their first settlement in Number Five.

On the arrival of the two brothers, Joseph H. and W. W. Smith, in the vicinity of Dr. Marsh's residence, it was natural that he should without delay have sought their acquaintance; he, therefore, about July 14, 1849, proceeded to New York of the Pacific to meet them, and offered the hospitalities of his house, which were gladly accepted. The generous pioneer furnished the horses on which the journey should be made, W. W. Smith acacompanying the ladies and children, and Joseph and Beener remaining behind. The journey is described as a tedious one; however, cheered by the evergreen oaks on the Marsh creek, the lighter green cotton-wood, and the occasional glimpse among the thick foliage of a running stream, all took courage and finally reached the Doctor's hospitable roof. The return journey was made by Marsh Landing, and here the Doctor offered the Smiths ten acres of land each, advising them to embark in stock-raising. Parting with the Doctor at this point, the two brothers walked on to the spot on which now stands the town of Antioch, where they each located a quarter section of land. Here were they wont to come for the purpose of cutting firewood to supply the New York House. On December 24, 1849, they erected their tents on the property and broke ground. In the course of these operations a man named Lincoln was observed approaching, who, on coming up, expressed his regret that the Smiths should have located on land on which

he had cast longing eyes. [Their presence, however, did not deter him from laying out a garden and building a cabin on the land; while this land was a source of endless and vexatious trouble, to relate all of which we have not the space.] Before the date above named, all the lumber for building a permanent residence had been deposited on the ground, and it was on their farm that they passed their first Christmas in California; but the building wherein they spent the hallowed day was only composed of a carpet fashioned into a tent, placed upon a strip of land on the quarter-section sought to be obtained from the United States.

This place by common consent received the name of Smith's Landing, while the point to the east of the present town site was called Smith's Point, and was fenced in as a part of the two quarter sections mentioned above. The line of demarcation ran near where the quarter-section line came, half a mile east of section thirteen, on which the town of Antioch is built.

In September, 1850, hearing of the arrival of a ship-load of would-be settlers in San Francisco, Mr. Smith hastened thither and found a number of families who wished to obtain land. Captain George W. Kimball, his brother, S. P. Kimball, four or five Hathaways, a Mr. Marshall and son, Mr. Douglass, and a Mr. Dennison, accepted his invitation, and proceeded to settle at Smith's Landing. Here a street was laid out, running east by compass, and each family that wished to settle upon land was presented with a lot to build upon.

Some time prior to these events Mr. Smith, while on a journey from Santa Clara, encountered two brothers, Deacon John Pulsifer and Dr. Joseph Pulsifer, who were on the lookout for land whereon to settle. He told them of there being space enough for their wants on the banks of the San Joaquin, and invited them to accompany him, which they did. On their arrival they made an excursion of circumnavigation around the tules, and returning whence they started, commenced the erection of a cabin on the site on which afterwards stood the Sawyer Carter stables. These Pulsifer brothers then laid out a garden on the flat above the point, and when the rains commenced began to plow and plant. For the dry season they arranged a windmill and a pump for raising water from the tules, making one of the finest gardens in 1851–52 within ten miles. By the united work of all, a fence and ditch were completed from the tules on the east to those on the west, in the Spring of 1851, to keep stray animals off its precincts.

July 4, 1851, a basket picnic was held at the residence of W. W. Smith, then standing on the high ground, near where the Antioch *Ledger* office now is; the all-absorbing topic of the day was: "What shall we name our town?" Between thirty and forty men, women and children had gathered from far and near. A chairman was chosen, and several names proposed; among them "Menton," after a steamer that plied on the river, that she

might be induced to stop at the town. Another proposed that it be "Paradise," but Deacon Pulsifer arose, and remarked that "there were many claimants to the lands in California, and they might lose their lands, and then it would be "Paradise Lost." W. W. Smith proposed that, inasmuch as the first settlers were disciples of Christ, and one of them (Rev. Joseph H. Smith) had died and was buried on the land, that it be given a Bible name in his honor, and suggested "Antioch," and by united acclamation so was the little town christened.

Among the others to build at this early date were the Kimballs, whose names are indelibly associated with the fortunes of Antioch, and several more who constructed residences to the east of Captain Kimball's first house. A ship's galley was moved to a lot near the present handsome brick schoolhouse, where the first school was taught by Martha Douglass; she in turn being succeeded by Adelia Kimball.

Among the residents who located this year we have the name of John C. O'Brien, still a resident of Antioch.

It should have been mentioned, however, that the families named above had hardly settled in their new homes, when the little town was visited by cholera in its worst type. The first to be seized with the dread disease, was the little five year old daughter of Mr. Smith, who happily recovered under the unceasing care of her anxious parent; but it was not so with the Hathaways—they lost the father of the family, two sons, and the wife of an elder brother, all within a few days of each other. Fortunately the epidemic disappeared as mysteriously as it had appeared, leaving one or more invalids in every household. On board a schooner, lying at anchor in the stream, between Antioch and Collinsville, several deaths occurred, after its ravages had ceased on shore.

In the year 1851, Antioch had direct communication with San Francisco, by a schooner commanded by Captain Miller. This, too, was a particularly dry season, all vegetable life in the San Joaquin district having been blighted, while to procure hay, the residents of Antioch had to go as far as Diablo valley to cut hay, and transport it thence to their homes, by way of Kirker's pass. The road then traveled is now closed to the public.

As early as the year 1852, a company was formed in Antioch for the manufacture of bricks, by J. C. McMaster, Barker, and others. The house leased to them was that of Mr. Smith, which stood on the site of the *Ledger* office, and close to the Palace Hotel. The brick kilns were where Mr. Hard's house now stands. Communication with San Francisco was this year maintained by Captain Charles Bartlett; while among the new comers in 1852, we have the name of Robert R. Fuller.

In 1853, Messrs. H. Lock from San Francisco, and James Henderson and family located in the district. The first named gentleman built a house and planted trees to the west of the town. The latter, with his wife, Mrs. Jane

Henderson, commenced the business of butter and cheese-making, which she continued for a number of years. They built a house where Mr. Stickler now lives, but subsequently moved to the "Iron House" where Mrs. Henderson died in 1862. J. C. McMaster and G. W. Kimball also embarked in the dairy business in Antioch in this year, while Swain and Wattles commenced operations in the same line, on land leased from Dr. Marsh. On the death of Mr. Swain their interest in the lease was purchased by Mr. Fuller, who still continues in the business. In this year, too, Frank Somers and Dr. Samuel Adams came to this part of the county from the mines, and from the Eastern States there arrived Ezra Clark with two children, Charles, and George Clark with his wife. The two families originally settled on what is now the Wells Tract, situated south of the Antioch burying grounds, while Charles had his location on the lands east of the tules and Pittsburg Landing. This gentleman finally joined his brother Ezra at Somersville where he was part owner and agent of the Pittsburg mine—at which place he ultimately died—while George Clark transferred his residence to the vicinity of Mount Diablo, near where Captain Mitchell had located a claim on what is now known as Mitchell's cañon. Dr. Adams took up his location at Oak Springs, after the death of Mr. Kirker. In this same year, 1853, G. W. Brown and —— Westcott built a store in the "Sand Hills" about half a mile below Marsh Landing, their principal customers being the hay-cutters, rather than the farmers, who had not then commenced the cultivation of wheat. Indeed it was in this or the following year that that cereal was first produced, the locality being between Kirker's pass and Antioch, and the producers Mr. McMasters and Captain Kimball who were engaged in the dairy business. The next store in the district was that of Martin Hamburg. It was first situated about five miles above Marsh Landing, on the bank of a sheet of water that had acquired the name of Dutch slough, whence there had been cut a channel to the high land, and saving the expense of a road and wharf on the tule lands, thus making a central point for the residents of the Iron House and Eden Plains districts. The place is now known as Babbe's Landing. After doing a large and prosperous business here, Mr. Hamburg moved to Antioch, where he built a store and dwelling house of brick two stories in height, on the land surveyed for a town site. In 1853, W. W. Smith constructed a wharf between Antioch and the Beever House on the slough west of the town, where steamers were wont to land the United States mail. Among the residents who located in the Township in 1853, we have the names of D. P. Mahan, the present efficient Sheriff of the county; Frederick Babbe, in what is known as the Iron House district, and Charles V. Smith at Antioch. In 1853, the Fuller family acquired, by purchase, the land hitherto occupied by Swain and Darby, and regular religious services were commenced in the residence of W.W. Smith, and subsequently continued in that of Mrs. Fuller and others.

In these early days there were a few of the Pulprones Indians still remaining, who were, however, afterwards swept away by small-pox and other diseases, large quantities of their bones having been found later, bleaching in the sun on the San Joaquin plains. In the year 1875 one of their residences to which was given the name of the "King's Palace," was discovered. This is a room excavated out of the sandrock, situated about four miles south of Byron Springs, and though once evidently the abode of human beings, is now the haunt and shelter of sheep and hogs.

During the next few years the country settled up slowly, although the little town of Antioch kept up its progressive start. As the families arrived in the village, each vied with the other to make it a pleasant abode, while a charming unanimity in all their actions was the result. Among the early settlers we find the names of William R. Forman, in 1857; Ferdinand and Christian Hoffman and John G. Chase, in 1858; William Newman, in 1859; and William Gilchrist and Andrew Portman, in 1860. Of course there were many more to settle during that period, but we have failed to gather their names; indeed, it was not until after the year last mentioned that the valley commenced to be fully settled—who these were the biographical sketches at the end of this work will illustrate.

We learn that in the year 1861 Dr. Patterson resided at the Point of Timber Landing; Henry Gallagher came to the land east of Bowman's present place; and Ferdinand and Christian Hoffman located where they now are near Byron. There was a man named Dickey engaged in the stock business in the district, while one Jabe Wilson kept the "Red House," now occupied by Mr. Sanders. In 1862 the Point of Timber district was visited by a severe flood, when Dickey, becoming disgusted, left; for the same reason Dr. Patterson moved to the land now in the occupancy of George Cople and J. Christiansen, but finally removed from the section entirely. This portion of the township commenced to settle up in this year, 1862, and during the Spring, Jabe Wilson sowed the first grain in the district, a twenty-acre field of barley, but before it matured he disposed of it to Fred Bowman, who, on account of rain, was compelled to cut the "lodged" grain for hay. The principal industry of these early times in the Point of Timber district was sheep farming, but as the lands came to be taken up and fenced, the sheep were "crowded out."

It seems to be generally accepted that coal was first discovered in this township by W. C. Israel, and that the discovery was made in 1859. We are disposed to think, however, that such must have been made a year earlier, for we have it from the columns of the *Contra Costa Gazette* of December 11, 1858, that Messrs. Rountree, Walker and Dickson discovered coal on November 24, 1858, about half way from the base of Mount Diablo and Antioch, and distant from the San Joaquin about five miles. "It is two miles from the vein discovered by Mr. Israel." In connection with his

father and brother George, W. C. Israel opened the vein he had discovered at Horse Haven, six miles south of Antioch, for a short distance; but not having capital to work it, they disposed of their interest to James T. Watkins, and —— Noyes, who, either from want of knowledge or capital, failed in opening the vein so as to make the working of it successful. They abandoned the mine in 1861, since when it has not been opened. The vein is very much broken, and hence, is unreliable. In 1860 W. B. Stewart, T. K. Shattuck and William Hillegas located the Central mine, and in 1861 commenced an opening, but it was not until 1864 that any quantity of coal was taken out. The Empire mine was started in the Fall of 1876 by J. C. Rouse and George H. Hawxhurst, which, with the Central, is now owned by Messrs. W. Belshaw, Egbert Judson and J. C. Rouse. In 1877 the Empire mine was connected with Antioch by a line of railroad six miles in length, which was extended by a branch to the Central mine during the past year. On the Marsh grant is another mine, the property of the Brentwood Coal Company, while there are several others in the Diablo coal fields, which we have already noticed.

Dr. Marsh's grant was not finally settled until 1862, but the United States Courts were slow in giving titles to lands in dispute; it was not until 1869, seven years later, that Mr. Smith received his documents. The New York grant was not patented until 1872.

We will now refer the reader to a short history of the town of Antioch, as an especial subject fraught with considerable interest:

ANTIOCH.—In the preceding remarks we have seen how the town of Antioch had its birth, grew into prominence as a center of commerce, and now we will attempt to follow its individual interests up to the present time. The reader will, we have no doubt, agree with us that recapitulation is unnecessary, therefore we will commence with the years dating after 1860.

On March 1, 1863, we find that the steamer *Pert* was put on as a ferry-boat between Antioch, New York and Collinsville, Solano county, by Captains Turner and Cosine. After the death of the first-named gentleman, his sons continued the business in the *Antioch* for about ten years, when it was discontinued, all the ferrying being now done by the steamers that ply to Sacramento and Stockton. On June 7th, of this year, we notice the death of William Wyatt. He was a native of North Carolina, but prior to coming to California in 1852, had lived in Missouri. His generesity of disposition and readiness to help forward every genuine charity, were characteristics well known to his friends, while by the world at large he was highly esteemed. The year 1864 may be remembered as the one in which the subject of railroad communication was first mooted. On September 10th a public meeting was held at Antioch, Charles P. Marsh,

J. T. McCabe

Chairman, when a resolution, promising the hearty co-operation of the citizens in a railroad project connecting Oakland and Antioch, was passed. Such was the cheapness of coal at this period that a company was formed at Antioch, in 1864, for the purpose of smelting copper, the ore used being chiefly obtained from Copperopolis; this scheme has died a natural death.

October 30, 1868, the dwelling-house of Dr. J. R. Howard, with all his belongings, books, papers, and family keepsakes, was destroyed by fire. On May 16, 1869, a new Congregational Church was dedicated at Antioch by the following gentlemen: Revs. Messrs. Warren, of San Francisco, J. J. Powell, Wood and Graves. The body of the church is thirty by fifty feet, besides the pulpit, rostrum and choir, with thirty-six pews to hold five persons each. The jutting front tower is surmounted by a belfry from which a graceful spire rises up some forty feet, and terminates at an elevation of eighty feet from the ground. The cost of the edifice was in the vicinity of two thousand three hundred dollars. In this year George A. Dodge, upon a block of the most elevated ground in the place, was engaged in constructing a reservoir, by excavation and embankment, with a view to supplying the town with water. His scheme contemplated the confining of the dam by a circular embankment, averaging fifty feet in breadth at the base, and a diameter of one hundred and thirty feet across the top of the basin. Up to this time the distribution of the fluid had been by means of cartage, and pumps by wind-power; with the accession of never-failing steam and pipes a great benefit was conferred upon the community.

About one o'clock on the morning of Sunday, August 23, 1871, a fire broke out in Main street, Antioch, in or about the wash-house of the Griffin Hotel (American Exchange), a north wind blowing with great violence at the time. At that hour the inhabitants were, of course, generally asleep, and the fire obtained a good headway before it was discovered. The extreme dryness of the tinder-like houses in full flame, fanned by the furious north wind, raised a running mountain of fire that appalled the hearts of the suddenly awakened sleepers. In a few minutes after discovery, it lapped on to and enveloped Chase & Robbins livery-stable, filled with hay, on the corner of Main and Brown streets; then on with a wild sweep it took in McCoy's two-story shop on the opposite corner, then his dwelling in the rear. Thence D. Cleaves' dwelling, and a vacant house where Knapp once lived, at the extreme south of the second block from where it started. Here it slowly lulled in the calm of exhaustion, though like a wounded serpent it hissed and raged with surging head and protruding tongue for more hopes to crush and more homes to waste, darting the venom of floating brands and detached flame in clouds upon everything for two hundred feet from its halt. Not more than forty minutes had elapsed before all this line of houses were smoke and ashes. In the meantime the fire had extended north to Griffin's two-story lodging-house more slowly, but in equal mockery of any

hope to stay it with the means at command. From this it soon caught the main hotel building, which was two-stories high, about seventy feet square, and elevated in location, in and a little above the most dense portion of the town. When this got well fired up, it finished, and lighted up a picture both grand and awful. The scene is described thus: "Here, as we stood at the cross of the main streets at two o'clock in the morning, in a sudden brightness as of a noonday sun, a roaring mountain of flame fanned and whirled by the rushing north wind—all around a scramble of life, with fearful odds against the scramblers—a village of terrified inhabitants, running hither and thither, of all ages, sexes and sizes, and in every condition of dress and undress; in and out of houses and across streets, carrying, scattering, pulling and pitching every conceivable article of furniture, buggies, wagons and stages, in heaps into the streets for safety, scarce a sound to be heard from a lip save the involuntary, 'Oh God!' as some heart shrank at the fall of their hopes and their homes. But the good servant and bad master, heedless of all misery in the picture, still swept on east to McCartney's dwelling next to the hotel, then McCartney's variety store, then Tapperner's shoe store, then Hop Lee's wash-house, which was torn down. Here a truce was declared on that line, and the monster slept upon his laurels in the smoke and ashes of two blocks of the town, except two houses, one of which was nearly torn down."

Six places of business and four dwelling houses were lost sight of when the flames died away. Eighteen thousand dollars' worth of property was destroyed, upon which there was about ten thousand dollars of insurance.

In the records of the Board of Supervisors of Contra Costa county, we find the following petition for the incorporation of the town of Antioch, under date February 6, 1872. We reproduce the document and the names attached thereto, as a matter of curiosity and interest:

"We, the undersigned (being a majority of the Town of Antioch, and qualified electors and residents thereof for more than thirty days last past, the said town containing more than two hundred inhabitants,) do now most respectfully petition Your Honorable Body to incorporate the said town, under the name of Antioch, the same being about one mile in width by about three miles in length (but not exceeding the same), and situate on the San Joaquin river, adjoining the New York grant in this county, as per plat or map hereto attached; said town to be incorporated for police purposes, and other purposes, pursuant to the statutes of this State. And your petitioners will ever pray, etc. M. Dolan, Joseph Galloway, M. A. Morrisey, Cyrus Cheney, William Jones, Oliver Wolcott, H. Gardner, M. S. Levy, W. Rountree, J. C. McMaster, Charles Kohn, J. J. McNulty, H. W. Fassett, George Miller, G. S. Carman, R. B. Hard, Stephen Jessup, Francis Williams, Abraham Low, Stephen Abbott, Job E. Warren, T. O. Carter, Jay Tuttle, George McCoy, J. A. Chittenden, George W. Brown,

S. Franklin Pitts, J. T. Cossan, Van W. Phillips, Joseph Ott, Robert West, F. Wilkening, James Martin, G. B. Robbins, Wm. C. Johnson, James Ewing, Frederick Vollmer, I. Lobree, Charles Wein, D. Macartney, Joseph Scheirwelup, J. R. Howard, H. Rietoro, Oscar M. Jessup, H. L. Farland, P. Griffin, J. H. Lewis, A. Brown, S. T. Page, H. W. Brewer, Joseph L. Smith, R. R. Fuller, John Skillconn, R. U. Fuller, Henry N. Baker, Charles Peers, Ferdinand Stain, W. A. Brunkhorst, George P. Rochford, George Thyarks, James Conroy, George Grunewald, Albert Brinck, G. W. Kimball, T. N. Wills, D. Mayon, H. H. Dearien, D. N. Cleaves, J. E. Bollinger, R. J. Wally, R. G. Houston, James T. Cushing, John W. Strickler, George Perry, S. S. Pitts, J. Nicholson, M. H. Jacobs, T. Aug. Heinoch, John B. Turner, Thomas Martin, G. E. Wright, A. M. Marble, H. B. Reed, J. P. Abbott, Joseph Baules, E. J. Fuller, James Gard, John Tappeinen, Peter Dolan, Christian Humble, Frank McFarlane, George A. Swain, H. A. Foster, P. McDermott, H. Williamson, H. Seers, R. Taylor, S. B. Joslin, Warren Abbott, D. P. Mahan, M. Hornberg, J. Strickfield, Joseph P. Barron."

December 8, 1873, we have to record the death of J. J. McNulty, a member of the County Court, which passed appropriate resolutions on his demise; while, on the 29th of the same month, a Grange of the Patrons of Husbandry was instituted with the following officers: J. P. Walton, Master; William Davidson, Overseer; J. Wills, Lecturer; W. J. Smith, Steward; W. G. Sellars, Assistant Steward; W. W. Smith, Chaplain; G. W. Kimball, Treasurer; James Darby, Secretary; D. K. Benedict, Gate-keeper; Mrs. P. B. Benedict, Ceres; Mrs. S. A. Sellars, Pomona; Mrs. Jane C. Smith, Flora; Miss Alice Wills, Lady Assistant Steward. On March 13, 1875, a Fire Company was organized in the town; while on January 24, 1878, the Advent Christian church was dedicated, the house being Gothic in style of architecture, thirty-two by fifty-two feet in dimensions, and costing two thousand dollars.

Captain George W. Kimball, one of the best known pioneer residents of Contra Costa county, died at Antioch, November 18, 1879. He had been a resident of the town since his arriyal in California in 1850. In command of a ship built under his direction and supervision in Maine by an association composed of lumbermen, mechanics and seamen, who cut the timber, built the ship, he made the voyage in her to this State. In a published sketch of Captain Kimball's life, he thus speaks of occurrences after his arrival in Antioch in 1850: "My brother (S. P. Kimball) and I hired men and cut hay on Sherman and Kimball Islands. I took it to San Francisco in my scow and sold it for sixty dollars per ton.

"Mr. Smith afterwards moved away from Antioch, so that I became the first permanent settler. I built two small wharves for receiving coal. I was the first Postmaster, first Notary Public, first Justice of the Peace, and first School Trustee in Antioch. I supposed I owned the section I lived on

until 1865, as I had bought all the titles I knew of. Garcia told me his New York ranch did not reach me, but they finally located it over my claim, and covered my improvements, and the Courts said it was all right.

"After the New York Grant took my land, I bought a few parcels of land to save some improvements, and then fled to the tule island opposite Pittsburg Landing with my stock. I spent part of two seasons there, dairying and raising hogs. I also bought the litttle island opposite Antioch; from this island my son, Edgar H. Kimball, supplies Antioch with milk."

Captain Kimball was known as a man of generous and humane feelings, marked intellectuality, originality and independence of thought; and though infirmities of age had somewhat withdrawn him from the active currents of neighborhood intercourse, his death made a vacancy long to be regretted.

In regard to early surveys of the town, we have learned that in 1862, Messrs. Wyatt and O'Brien entered upon the State Tule lands, situated to the west of the town, and having it surveyed, laid it out into blocks and lots, these lying to the west of what is now Galloway street. On this land Wolf & Co. built a brick store, while Kimball & Co. had a store on the plot of ground known as Morrisey's corner. Galloway and Boober then paid a thousand dollars to Captain Kimball for one block of land, but finally purchased the west half of section thirteen and the east half of section twenty-five, embracing the town and what is now Mr. Wills' farm, which they had laid out, and is now known as the Eddy survey. It may be mentioned that Mr. Wolf died on the cars while on his way to San Francisco, September 12, 1878.

The manufacturing industries of Antioch are not a few, while their history is interesting. As long ago as 1852 a company was formed for making brick at Antioch, by J. C. McMaster, —— Barker and others. The remains of dilapidated kilns and trenches may still be seen in their unornamental simplicity. No less than four attempts have been made to establish potteries in the town, but only one survives the shock of time, the Albion. Antioch, however, boasts a distillery, finer than which there is none on the Pacific Coast. The establishment is an immense one, with a prosperous and increasing trade. We have already alluded to the smelting works, founded in 1864. In 1875, a company was organized for the purpose of preparing tules for the manufacture of mattresses and such like articles of upholstery. In 1878 Mr. Cooley embarked in, and has since successfully perfected the enterprise of making tule covers for bottles for the San Francisco market.

Communication between Antioch and the outside world was started in January, 1851, by Captain Miller, who had a schooner plying to San Francisco. In the following year Captain Charles Bartlett continued the trade in a like craft, purchased for the especial purpose of conveying butter, eggs, cheese, and such other freight, and returning with passengers and goods. For the convenience of the boats, W. W. Smith constructed a platform

between Antioch and the Beener House; and about 1859, Mr. Galloway, and in 1871, Mr. Boober, constructed the present Granger wharves.

It will be remembered that the first postmaster in the district was John Beener, located at New York of the Pacific, the official name being Junction. He was succeed by H. F. Toy. In 1852 the name was changed and the office moved to Antioch, G. W. Kimball being appointed postmaster. During the visit of that gentleman to the mines, J. C. McMaster was deputed to attend to the duties of the office, who in turn was succeeded by Mr. Eddy.

The first cemetery belonging to Antioch was situated to the south of the town. Here, under the wide-spreading branches of a white oak tree, was the Rev. Joseph H. Smith, committed to the earth from whence he sprang. After the town site had been surveyed, two blocks of land were set apart and fenced in as a burial-ground, where most of the dead in the district found their last resting place. This "God's Acre" soon became crowded; then a company was formed by the Free Masons and Odd Fellows, and a tract of land, located among the live oaks, two miles and a half from town, selected. Hither are being gradually removed the bones of those buried within the town limits.

In the year 1864 there were two Grange Associations started in the township—one at Antioch and the other at Point of Timber. The first mentioned purchased a wharf and fixtures from Mr. Boober, for which they paid ten thousand six hundred dollars, dividing the land accompanying it into small lots to suit purchasers, thus hoping to liquidate the debt. They built a good hall at each place, but the Antioch Grange Association failed in its operations, and is now defunct property, without value.

In the year 1877, or thereabouts, the proprietors of the Empire mine completed a narrow gauge railroad from the mine to the water front at Antioch, where there are all the appliances for shipping coal. While in the matter of railroads for public uses we may remark that there was a survey for a line from Antioch to Visalia, Tulare county, made in 1871, and much of the stock subscribed, but the scheme was not carried out by its projectors. In the meantime the Central Pacific Railroad had stretched out its octopus arms, and completing their line from Oakland to Tracy, the first train passed through Antioch September 9, 1878.

In conclusion of our remarks on the town, we boldly assert that Antioch is destined to be a very important commercial and manufacturing point so soon as capitalists take the trouble to inquire into its numerous advantages. It is situated far enough from the ocean—about fifty miles—to escape the harsh trade winds to which other places nearer the Bay of San Francisco are subjected; is at the confluence of the Sacramento and San Joaquin rivers, and being at the head of ocean navigation has a depth of water at low tides of twenty-four feet, where the largest ships can load and go to sea with ease. Vessels can also lie in fresh water while in port, which is a great advantage, as it cleans their hulls from barnacles and other parasites.

The channel from Suisun bay to Antioch was surveyed in July, 1878, by General B. S. Alexander, who pronounced the lowest depth of water at low tide to be twenty-two feet. The General, at that time, expressed the opinion that the advantages of Antioch as a shipping point were unsurpassed. He stated that the channel is not tortuous; that with the prevailing westerly winds ships could easily sail directly to the wharf; that the anchorage is good, with plenty of room and no hidden dangers, and that during the high tides vessels drawing twenty-five feet of water could go to sea. One of its great advantages as a grain shipping point is that the wheat from those immense valleys, the Sacramento and San Joaquin, can be brought to this point in barges, which can easily navigate the Sacramento and San Joaquin rivers for hundreds of miles north and south, but which are too frail to live in the rough waters of the Carquinez Straits and San Francisco Bay. There is also ample room for warehouses, as the deep water front extends for over two miles.

In addition to the advantages above enumerated, Antioch has unrivalled facilities for the establishment of manufactories of many descriptions, among which may be mentioned woolen mills, flouring mills, foundries and potteries. For the latter there is an unlimited supply of the best quality of potters' clay, from which, it is claimed, the finest porcelain can be made; there is both soft and hard clay in various colors, with different proportions of kaolinite, silica, feldspar, lime, magnesia, etc. Mr. I. Nicholson is now extensively engaged in working this clay, although his operations are confined to the manufacture of stove linings and piping. For manufacturers requiring steam power, fuel is plentiful and cheap, as there are hundreds of tons of coal brought into the town daily by rail, from mines which are only five or six miles distant. Another advantage which manufacturers here could have is that they would not be confined to the water outlet for the transportation of their productions, as the San Pablo & Tulare Railroad runs past the town.

Among other advantages, which go to make a large and prosperous city, possessed by Antioch, is an immense area of the finest agricultural lands. An illustration of what this land is capable of is related by a prominent merchant of Antioch. From this gentleman's statement it appears that a certain party purchased a quarter-section of land in that vicinity for fifteen dollars per acre, and seeded it in wheat. His first crop paid for the land, and left him a surplus of six hundred dollars. Wheat is not by any means considered the most valuable crop that these lands will produce, as they are peculiarly adapted to grapes and fruits of various kinds.

The Antioch Congregational Church.—Was organized June 25, 1865, with the following members: D. S. Woodruff, J. P. Walton, Almira Walton, Francis A. Barrett, Mrs. Agnes Barrett, Mrs. M. H. Boothby, Miss Ida Fuller. Following are the names of the several pastors in the order in which

they served: Rev. B. S. Crossley, Rev. C. Morgan, Rev. James Wood, Rev. Albion Johnson, Rev. T. Beaizley, Rev. William N. Meserve, Rev. E. O. Tade, Rev. C. T. K. Tracy, Rev. John Carrington, Rev. C. R. Hager. Present pastor, Rev. C. R. Hager. During the pastorate of Rev. James Wood, the Congregational church was built, mainly through his exertions. The building is hard-finished, with bell tower and steeple, and will seat about two hundred people. The present membership, May, 1882, is twenty-nine. Following are the present officers of the church: Trustees—H. W. Brewer, S. Broacher, G. F. Hawley; Clerk, Charles H. Smith; Treasurer, G. F. Hawley; Moderator, William W. Smith; Deacons, H. W. Brewer, S. Broacher.

Methodist Episcopal Church.—This sketch, we inform the reader, is not confined to the history of the church at Antioch alone, but to the entire Methodist organization in the eastern portion of Contra Costa county.

In the year 1867 Rev. W. S. Corwin was appointed to the charge of the eastern portion of Contra Costa, and in the following year was succeeded by Rev. Noah Burton, who, shortly after his arrival, organized a Board of Trustees, as follows: Thomas Murphy, Thomas McCabe, R. C. Pennington, Alonzo Plumley and William S. Paige. In this year a parsonage was built at Point of Timber. In 1869, Rev. C. A. E. Hertell was appointed to the work, then called Point of Timber and Eden Plain. This gentleman remained in charge until September, 1872, the name being changed in 1871 to Point of Timber and Antioch.

In 1870, Rev. V. Righmeyer was sent to Clayton and Somersville, where he remained two years. In 1872, Rev. J. H. Jones was appointed to Somersville and San Joaquin, which included Antioch and Point of Timber, and remained two years. In 1874, Rev. A. C. Hazzard supplied the work; in 1875, Rev. E. Jacka was appointed to Point of Timber, and Rev. Wm. Gafney to Somersville, both remaining one year. In 1876, Rev. J. M. Hinman was appointed to Point of Timber, and Rev. G. G. Walter to Somersville and Antioch, at the latter of which places he remained three years. In 1877, Rev. William Gafney was appointed to Point of Timber, where he remained three years. In 1879, the parsonage was moved to Brentwood, and Mr. Gafney took charge of Somersville and Antioch also, preaching at Point of Timber, Eden Plain, Brentwood, Antioch and Somersville. In 1881, Rev. E. A. Winning was appointed to the work now called Point of Timber and Antioch. The church has a small house of worship at Somersville, while the present membership of the whole charge is about fifty.

Antioch Lodge, No. 175, F. and A. M.—This lodge was organized October 12, 1865, with the following charter members: Francis Williams, Rozwell Hard, J. P. Walton, D. H. Cleaves, Norman Adams, Stephen Jessup, J. J. McNulty, J. C. O'Brien, John E. Wright, Richard Charnock, Jackson W. Ong, Thomas Cryan, E. T. Mills. The officers Under Dispensation,

dated May 21, 1865, were: Francis Williams, W. M.; Seth W. Bedford, S. W.; John C. O'Brien, J. W. On the Charter being granted, the following officers were elected: Francis Williams, W. M.; Seth W. Bedford, S. W.; John C. O'Brien, J. W.; John E. Wright, Treasurer; Mark Kline, Secretary; Norman Adams, S. D.; Stephen Jessup, J. D.; Emory T. Mills, Tyler. The lodge, which is in a flourishing condition, has a membership at present of forty-six, owning their hall in partnership with the Independent Order of Odd Fellows. The names of the officers serving for the current term are: J. P. Abbott, W. M.; N. W. Smith, S. W.; S. H. McKillips, J. W.; J. C. Rouse, Treasurer; W. R. Forman, Secretary; A. K. P. Nason, S. D.; M. H. Jacobs, J. D.; John G. Chase, Tyler.

San Joaquin Lodge, No. 151, I. O. O. F.—Was instituted January 11, 1869, the following being the charter members and original officers: William Girvan, M. S. Levy, George Thyarks, R. Eddy, F. Wilkening. The Lodge is in a flourishing condition, with a membership of fifty-two on the roll. The officers for the current term are: A. A. Waldie, N. G.; A. M. Groves, V. G.; W. H. Dobyns, R. & P. S.; D. Macartney, Treasurer; H. W. Baker, W. H. Dobyns, and William Renfree, Trustees.

Antioch Lodge, No. 37, A. O. U. W.—This Lodge was organized by D. D. Barrows in June, 1878, with the following charter members and officers: H. W. Baker, P. M. W.; Henry F. Beede, M. W.; E. L. Wemple, G. F.; Louis Dahnken, O.; William H. Dobyns, Recorder; John S. Killicum, Fin.; L. Meyer, Receiver; H. W. Brewer, G.; H. C. Wenig, I. W.; Albert T. Beede, O. W. The present membership of the Lodge is forty-five, who hold their meetings in the Hall of the Masons and Odd Fellows. The present officers are: H. W. Baker, P. M. W.; H. F. Beede, M. W.; Wm. H. Dobyns, F.; R. P. Taylor, O.; E. L. Wemple, Finan.; A. K. P. Nason, Receiver; G. D. Darby, G.

Ariel Chapter, No. 42, Order of Eastern Star.—This Chapter was organized March 30, 1880, by Grand Worthy Patron, C. L. Thomas, with the following charter members: Elizabeth Williams, Alice Parkison, Katie E. Forman, Malvina G. Abbott, Alice Rouse, Mrs. T. B. Jacobs, Annie F. McKillips, Alyszan R. Jessup, Mary E. Frink, N. W. Smith, Mary E. Smith, C. H. Frink, G. Rouse, J. P. Abbott. The first officers to serve were: George C. Wright, W. Patron; Elizabeth Williams, Matron; Mrs. Alice Rouse, Associate; C. H. Frink, Secretary; Mrs. Mary E. Frink, Treas.; Mrs. A. R. Jessup, Condt.; Mrs. Bertha Jacobs, Asst. Condt.; Miss Anna Mckillips, Ada; Miss Kate E. Forman, Ruth; Miss Mary E. Smith, Esther; Mrs. N. G. Abbott, Martha; Miss Allie Parkison, Electa. The Chapter, which is in a flourishing condition, has a present membership of thirty, while the officers serving for the current term are: M. G. Abbott, W. Matron; A. C. Hartley, W. Patron; M. E. Frink, S. M.; G. Rouse, Sec.; N. W. Smith, Treas.; Mrs. A. R. Rouse,

Condt.; Mrs. R. Metcalf, Asst. Condt.; Louisa Willis, Ada; Kate Forman, Ruth; Mary E. Smith, Esther; Allie Rouse, Martha; Mrs. Frank Pitts, Electa; J. C. Rouse, Warder; S. H. Mckillips, Sentinel. The Chapter meets on the first and third Mondays of each month, at the Masonic Hall.

YOUNG MEN'S TEMPERANCE AND LITERARY SOCIETY.—This association was organized April 8, 1882, with the undermentioned Charter Members: James Carolan, Charles Smith, R. H. Parkison, Cellus Biglow, John Tope, Frank Biglow, F. M. Wills. The present officers are: James Carolan, Ch. T.; Charles Smith, Marshal; R. H. Parkison, Secretary; Cellus Biglow, Sentinel; John Tope, V. T.; Frank Biglow, Chaplain; Frank Wills, Treasurer. The society's rooms are opposite the store of Rouse, Frink & Co., and are fitted up in a neat style, chiefly by subscriptions from the people of the town. Here all newspapers and periodical publications are free to the public. Meets every Wednesday evening at 8 P. M.

ANTIOCH FIRE DEPARTMENT.—On December 18, 1874, the citizens of Antioch met and organized the Fire Department of that town, D. P. Mahan being Chairman and Francis Williams, Secretary. On a resolution being put that all those in favor of such an organization should sign their names to the roll, the following signatures were thereupon affixed: Francis Williams, D. P. Mahan, William C. Johnson, M. S. Levy, Clarence Maclay, Stephen Jessup, S. B. Joslin, Charles Peers, John W. Gunn, John G. Chase, John S. Killicum, J. H. Patterson, Fred. Wilkening, Van Phillips; L. Dahnken, William Renfree, Joseph W. Galloway. The following officers were then elected: Francis Williams, President; M. S. Levy, Secretary; S. B. Joslin, Treasurer; Stephen Jessup, Foreman; Fred. Wilkening, First Assistant; Louis Dahnken, Second Assistant. The Department is now composed of thirty-one members, with the following officers: H. F. Beede, President; D. Macartney, Secretary; S. B. Joslin, Treasurer; I. Nicholson, Foreman; F. M. Wills, First Assistant; J. G. Kaiser, Second Assistant.

ROUSE, FORMAN & CO'S LUMBER YARD.—This enterprise was started in the year 1864 by Mr. Galloway, who conducted it until 1877, when it was purchased by the present owners who now manage the concern. All building material is here supplied, the lumber used being imported from Oregon and Washington Territory, for which a sale is found in the surrounding district, large quantities being shipped up the Sacramento and San Joaquin by both boat and sail. Antioch is essentially a distributing point. Rouse, Forman & Co. usually carry a stock of from one and a half to two millions of feet of lumber.

ALBION POTTERY.—I. Nicholson, Proprietor. The first establishment of an enterprise of this nature was by I. Lobree in 1865, which was discontinued in 1869. In 1868, Mr. Nicholson embarked in his present enterprise, on the site it now occupies at the corner of Wyatt and Robinson

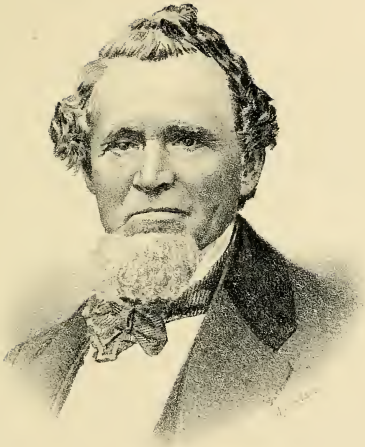
streets. Here he is engaged in the manufacture chiefly of chimney and sewer pipes, Terra Cotta, and stove lining, in which he gives employment to from six to eight men. The buildings are one story in height, and cover a space of one hundred by one hundred and fifty feet.

PIONEER SODA WORKS.—This was among the first establishments of the kind in the county. It was started by John Gagen, who conducted it until it passed into the hands of John Reilly in 1881. Here all manner of ærated waters are manufactured, including soda, ginger-ale, sarsaparilla, cider, etc.

THE WEEKLY ANTIOCH LEDGER.—Was established March, 26, 1869, by Messrs. Townsend and Wait. Mr. Wait shortly after retired, and for a time Mr. Townsend continued the paper alone. In December, J. P. Abbott purchased a half interest. The following year Mr. Townsend disposed of his interest to E. G. Fuller, who, in 1872, sold out to H. A. Weaver. Mr. Abbott retained his half interest during this time, and in May, 1873, purchased Mr. Weaver's interest, thus becoming sole proprietor. Mr. Abbott continued to conduct the paper up to November 1, 1881, when he leased it to Charles H. Smith, who is at present the editor and publisher. Mr. Smith is a native of the county, having been born upon the slope of Mount Diablo, above Clayton, in October, 1855. He entered the *Ledger* office as an apprentice in December, 1879. The *Ledger* has always been a strong Republican journal.

ANTIOCH DISTILLERY COMPANY.—In the Spring of 1869 this enterprise was started by George Russell, William Knight and George Gruenewald, and had a capacity of one thousand gallons. In the following year it was consolidated with the Brannan street, Pacific and South San Francisco distilleries, and became a stock company. It was continued thus for only six months, when Mr. Jost purchased the Antioch distillery, which he continued until the Fall of 1876. Nothing was done on the premises till the Spring of 1879, when Mr. Jost was joined in partnership by Aaron Adler, the firm name being Jost & Adler. Since that time many valuable improvements have been made, such as new machinery and warehouses, while the capacity has risen to two thousand four hundred gallons per day, on which a revenue of two thousand one hundred dollars per day is paid. The goods manufactured are Bourbon, Rye and Spirits, as well as the German compressed yeast, of which are turned out about two thousand pounds per week and shipped to the San Francisco market. The present proprietors are Jost & Adler, who employ about twenty men, George Miller acting as superintendent.

BRENTWOOD.—This little village receives its name from Brentwood in Essex, England, whence the family of Dr. Marsh originally came. Here the owners of the Marsh Grant donated a tract of land for the purpose of



H. C. F. Johnmann

laying out a town, the necessity for such having sprung from the advent of the railroad. The first building to be erected was the store of Louis Gruneaeur, in the Fall of 1878; he was immediately followed by Joseph S. Carey, who constructed a blacksmith's shop, and moved into it November 25, 1878, since when several excellent residences have been built. The village now comprises one hundred residents, three stores, three saloons, a school-house built in 1879, a handsome railroad depot, and a fine warehouse, the property of Fish & Blum, of Martinez.

BYRON.—This is another hamlet on the line of the railroad, located about five miles northwest of Brentwood, and a like distance from the county line. It is situated in the midst of a fine agricultural district, and two and a half miles from the famous Byron Springs. The first house built was the very excellent hotel of F. Wilkening, in 1878. It now comprises, besides that building, one store, three saloons, two blacksmith shops, Fish & Blum's handsome warehouse, one harness shop, one livery stable, and a population of about sixty souls. There is also a fine depot and a post-office.

BYRON HOT SPRINGS.—Are located about two miles and a half from the village of Byron. "These springs," says Rev. W. W. Smith, of Antioch, "have been known since 1849 to the American settler, and before that time to the Indians, who had often tested their healing qualities, whether taken internally or applied externally." The locality is not especially captivating as a place of resort, it being entirely devoid of shady walks and romantic scenery. He who visits Byron Springs must do so for the benefit of his health, and not for a pastime. We have been unfortunate in procuring an analysis of the different waters, but from our own unscientific research, we are prepared to vouch for their containing sulphur, soda and salt, in large quantities. There are five of these springs utilized for bathing purposes, having commodious accommodation for this purpose; while fifteen of them are maintained solely for drinking. Each has a name consonant with its peculiar properties; but perhaps the most appropriate is that known as the "Surprise," which, in fact, usually proves a surprise, in more ways than one. The hotel has capacity for forty guests, while there are five cottages besides, suitable for families and coteries of friends. The time is not far distant when the curative properties of these waters will become more widely known—then Byron Springs will earn a name second to none in the world, as a place where healing the sick may be attained without the aid of allopathic powders and homeopathic globules. There is stage connection with Byron Station.

EDEN PLAIN AND POINT OF TIMBER.—These two places, one being a continuation of the other, derive their names, the first from the wonderful

fertility of its soil, the other from the peculiar form in which the belt of timber that then covered that section grew. It was V shaped, the point coming to the vicinity of the site of the store now kept by James A. Salts, at that place. The Eden Plain school-house is about eight miles east of Antioch, while that of Point of Timber is eight miles farther south. These two tracts are peculiarly adapted for fruit and grain growing, the largest orchard being possessed by Mark Walton. The lands of the Point of Timber district are wider than those of Eden Plain, from east to west, the ground on Kellogg creek being moister than that on Marsh creek. The Point of Timber Landing was burnt in the Winter of 1881–82 by tule fires, and although it was the property of the neighboring farmers, it never proved of any great practical utility or monetary advantage to them.

Point of Timber Lodge, A. O. U. W.—This lodge was instituted April 12, 1879, by D. G. M. W., H. G. Oliver, with the following charter members: George R. Dement, R. M. Vanderhoof, M. T. Plantz, H. C. McCabe, E. Bustard, Isadore Lippman, G. W. T. Carter, Henry Wilkening, George Cople, Peter Weiss, C. J. Preston, W. J. Casselman; the original officers being: H. C. McCabe, M. W.; C. J. Preston, P. M.; George R. Dement, Receiver; Isadore Lippman, Financier; R. M. Vanderhoof, Overseer; G. W. T. Carter, Recorder; Peter Weiss, Guide; H. Wilkening, I. W.; E. Bustard, O. W. Trustees: H. Wilkening, C. J. Preston, E. Bustard, The lodge, which is in a flourishing condition, has a membership of thirty-six, while the officers for the current term are: H. C. McCabe, P. M. W.; G. W. T. Carter, M. W.; William H. Johnson, F.; Melvin Graver, O.; James A. Salts, Recorder; Alonzo Plumley, Receiver; C. J. Preston, Financier; I. Huey, G.; Henry Wilkening, I. W.; George Cople, O. W.

Excelsior Lodge, No. 349, I. O. G. T.—Was organized March 7, 1869, by Rev. A. C. McDougall, with the following Charter members: C. M. Carey, Mrs. B. F. Carey, Henry Wells, J. S. Netherton, Calvin Carlton, D. K. Berry, A. Richardson, Miss Belle Eachus, Libious Perkins, Miss Ella Paige, J. T. Carey, Volney Taylor, Mrs. Mary Berry, Miss E. A. Berry, Alonzo Berry, Mrs. Laurie Carey, A. V. Taylor. The original officers were: C. M. Cary, W. C. T.; Mrs. B. F. Carey, W. V. T.; H. Wells, W. C.; J. S. Netherton, W. Sec.; C. Carlton, W. F. S.; D. K. Berry, W. T.; A. Richardson, W. M.; Cora Carey, W. D. M.; Ella Paige, W. I. G.; Volney Taylor, W. O. G.; Belle Eachus, W. R. H. S.; Miss E. A. Berry, W. L. H. S.; J. F. Carey, P. W. C. T. The lodge was organized in the old Pioneer school-house, but in 1871 was moved to the new school-house, and in 1876 transferred to the Point of Timber Grange hall. It is in a flourishing condition and has a present membership of fifty-nine. The officers serving for the current term are: W. J. Estus, P. W. C. T.; F. M. Preston, W. C. T.; Emma Andrews, W. R. H. S.; Annie Wallace, W. L. H. S.; Eugenia Wallace, W. V. T.; Volney Taylor, W. Sec.;

Ida Burres, W. A. S.; W. M. Moore, W. F. S.; Lovina Plumley, W. T.; F. J. Netherton, W. M.; Ida Plumley, W. D. M.; Mary Taylor, W. I. G.; Charles Plumley, W. O. G.

POINT OF TIMBER GRANGE, NO. 14, PATRONS OF HUSBANDRY.—This Grange was organized May 21, 1873, and is the out-growth of the Point of Timber Farmers Protective Club. It was instituted by the State Deputy, W. H. Baker, with the following officers: R. G. Dean, Master; M. A. Walton, Overseer; J. H. Baldwin, Lecturer; J. B. Henderson, Steward; A. Richardson, Asst. Steward; A. Plumley, Chaplain; Thomas McCabe, Treasurer; J. W. Carey, Secretary; C. M. Carey, Gate-Keeper; Mrs. J. H. Baldwin, Ceres; Mrs. C. M. Carey, Pomona; Mrs. J. B. Henderson, Flora; Mrs. J. W. Carey, Stewardess. The Grange is in a prosperous condition, and owns a handsome commodious hall at Point of Timber. The officers for the current term are: Volney Taylor, Master; C. J. Preston, Overseer; Mrs. S. J. Wills, Lecturer; A. Plumley, Steward; Mrs. George Cople, Asst. Steward; Mrs. Richardson, Lady Asst. Steward; Thomas McCabe, Chaplain; Lovina Plumley, Treasurer; Mary J. Carter, Secretary; A. Richardson, Gate-Keeper; Ellen Carter, Ceres; Ida Plumley, Flora; M. E. Jaquillard, Pomona; Trustees, G. W. T. Carter, Volney Taylor, S. M. Wells.

JUDSONVILLE.—This is the camp attached to the Empire Mine, and receives its name from Egbert Judson, one of the proprietors. The Central Mine is a continuation of the vein being worked by the Pittsburg Company at Somersville, and was located by W. B. Stewart, F. K. Shattuck and William Hillegas in 1860. Here is Stewartsville. In 1861 they commenced an opening, but it was not until 1864 that coal in any quantity was taken out. The mine was worked continuously until 1876, when, owing to the death of some of the parties interested, it lay unoperated for five years. Operations were commenced under a new organization in 1881.

The Empire Mine was started in the Fall of 1876 by John C. Rouse and George H. Hawxhurst, the hoisting works being erected in that year, and has since been running. These are now the property of W. Belshaw, Egbert Judson and J. C. Rouse. In 1877, the mine was connected by a railroad, six miles long, with the landing at Antioch, while, during the past year, a branch track, two miles and a half in length, to the Central Mine, has been completed.

Near these mines is the village of Judsonville, the first house erected in it being the hotel, then and now conducted by N. A. Tyler.

BIOGRAPHICAL SKETCHES.

J. P. ABBOTT.—Whose portrait appears in this volume, was born at Boscawen, New Hampshire, March 3, 1840. He assisted his father on the farm, attending the winter school until seventeen years of age, fitted for college at "Elmwood Institute," and entered Dartmouth College in 1861; came to California during the Fall of 1863. Taught school six months in Napa county, and during the Autumn of 1864, in company with a gentleman recently from Idaho, crossed the Sierras with a band of cattle, intending to winter on the Humboldt and reach the Idaho mines the following Spring. The enterprise, however, was destined not to succeed. Arriving at the desert at Granite Creek Station, they camped, as usual, for the night, but awoke to find before them fifteen miles of solid ice as smooth and glassy as ever was seen on a New England mill pond. Here they were compelled to remain for six months, being joined meantime by another party on a similar expedition. While thus detained, the Piute war broke out, most of the stock died or were stolen by the Indians. One of the men was killed by the hostile Piutes, and joining an emigrant party Mr. Abbott returned to California. Crossing the Sierras alone, and on foot, he arrived in Napa City in the Spring of 1865. He entered the law office of Thomas J. Tudler, then District Attorney of the county, and was admitted to the Bar in the Fall of 1866. After a brief visit east he returned and located at Antioch, in Contra Costa county, where, with the exception of one year spent at San Diego, he has since resided. For eleven years he published the Antioch *Ledger*, being editor and proprietor. Married Miss Malvina G. McMaster, June 25, 1872.

DON JUAN B. ALVARADO.—Governor of California from 1836 to 1843, died at his residence in the village of San Pablo, Contra Costa county, July 13, 1882, at five o'clock P. M. He had been suffering from a bronchial affection, which made his breathing difficult, for some months, and some four or five weeks before had a severe attack; but from this he seemed to have recovered, and his end was peaceful and quiet, and without apparent suffering. He was at the time of his death seventy-three years and five months old. He was a native of California, having been born at Monterey in 1809; but, unlike most of the old native Californians, he was of pure Spanish blood, without Indian admixture. He was a man of

great natural talent, and displayed remarkable ability, having been one of the ablest of the old native Californians. Being carefully reared in his infant years by an exemplary mother, he early displayed a taste for learning and culture; and for this reason attracted the attention of Governor Sola, who assisted him in his studies, and aided him in acquiring a knowledge of political and military science; but under the untoward circumstances of the country in those days, he was compelled, so to speak, to educate himself, and therefore became, in the true sense of the term, a self-made man. As an illustration of one of the difficulties he encountered in his self-improvement, it may be stated that he was at one time excommunicated by the priests for reading Fénelon's "Telemaque." While still a very young man he entered into political life, and became Secretary of the Territorial Deputation, or California Legislature, and from that time down to the American occupation, in 1846, always held an official position. In 1836 he raised the standard of independence, and proclaimed the "Free and Sovereign State of Alta California," in opposition, not exactly to the Government of Mexico, but to what was known as the then existing Centralist Government of Mexico. By this act, and the ability displayed by him in encouraging the revolution, and the success with which he carried it through, he became entitled to the name of "The Napoleon of California," though his motives were probably purer than those of Napoleon. As near as we can judge from knowing the man and looking back upon all the circumstances, his idea was to become a sort of second Washington, of whom he had read and whose example and fame fired his imagination. There were difficulties enough for him to encounter and overcome, as the head of the revolution; and, among others, he had to meet and vanquish a rival Governor in the person of his uncle, Don Carlos Corrillo, of Santa Barbara, whom he made a prisoner in his own house, and afterwards allowed to escape. In 1838 the Government of Mexico recognized him as Governor *interino*, and in 1839 appointed him Governor *proprietario*, or Constitutional Governor of the Californias—that is, of both Upper and Lower California—which office he held until the accession of Governor Micheltorena in January, 1843. During his incumbency he was a sort of autocrat, having almost unlimited power; but it is not known that he ever abused it, or was ever actuated by motives other than for what he conscientiously believed to be for the good of the country and the trust reposed in his hands. From 1843 to the American occupation he was for a portion of the time Collector of the Custom House at Monterey, and for a part of the time in military service as Colonel of the militia forces of the Department, known as *Defensores de la Patria* (Defenders of the Country). In 1845, when Governor Micheltorena was expelled, he made an able and successful military campaign, during which he and General José Castro made a

remarkable forced march, very famous among the Californians of those days; but this, we believe, was about the only active service he saw. When the Americans raised the stars and stripes in 1846, he was far-seeing enough to understand that the struggle against them would be futile, and he appears to have taken no active part in the events which succeeded. In 1839 he married Doña Martina Cortes, daughter of Don Francisco Maria Cortes, of San Pablo. About 1849 he removed from Monterey to San Pablo, and lived there with his family in the old adobe homestead up to his death. His wife died in 1875, and there survive of the family three sons and two daughters. One of the sons is in New York, and a daughter is in Washington. Two sons, Gustave and Henry, and a daughter, formerly the wife of L. B. Tewksbury, of San Francisco, were present at the funeral on July 15th. When the history of California comes to be written, his abilities and virtues will be set forth—the things he did, the measures he advocated, the laws he passed, and the time of official, as well as private life, he passed. They will constitute an interesting and instructive part of the narrative; and it is believed that few men, considering all the circumstances of the times and the difficulties that had to be encountered, will be entitled to kinder consideration, and be remembered with greater sympathy and tenderer admiration than the really great and retiring man who has just left us and passed over *ad plures*.

LUDWIG ANDERSON.—This descendant of the ancient Norse Vikings, whose portrait will be found in this history, was born in Copenhagen, Denmark, August 26, 1825, and there resided until his sixteenth year. At this period of his life, he adopted the sea as a profession, and at the end of six years' voyaging found himself in New York in 1848, whence he came to Callao and Lima in 1849, in the latter part of which year he took passage on board the bark *Ellitta*, and sailed for California, arriving in the harbor of San Francisco in August, 1850. From here he made his first trip to Panama on board the steamer *Oregon*, in the same year, returning in her when she brought the first tidings of California being admitted into the Union. He then entered the coasting trade, and continued in it until the year 1860. Prior to this date, however, Captain Anderson had penetrated many of the inner waters of the coast of California, and often those of Contra Costa, and saw the capabilities of several of the then prominent business points. Pacheco, at the period of which we write, was one of the most flourishing; here, therefore, our subject determined to cast his lot. In that year he opened a lumber-yard, which he still conducts, having also branched out in that particular trade in Martinez. By an unflinching integrity and indomitable perseverance Mr. Anderson has acquired considerable possessions in different portions of the county, while the benefits derived therefrom he now reaps with satisfaction alike

to his neighbors and himself. Married in San Francisco November 23, 1858, to Miss Honora Troy, a native of Ireland, and has seven children living, viz: Marie Carolina, Louis D., Nora Augusta, Mary Margaret, Annie M., Jence Jepson, Elisabeth Theresa.

ANDREW ANTONY (deceased).—Born in Bavaria, Germany, July 19, 1835. When sixteen years of age he emigrated to the United States, and located in New York, and followed the trade of baker and confectioner. In the Spring of 1854 he started for the Golden State, *via* Panama, and went to Marysville, where he continued his trade. He afterwards went to Gibsonville, and there mined, in partnership with Henry Walters, for three years; after which he moved to Grass Valley, where he carried on a bakery for nearly two years. He then went to Frazer river, remained there two years, and thence to Victoria and Portland. In 1859 Mr. Antony returned to California, and proceeded to Placerville, and purchased a billiard saloon, which he conducted for eight months, when he sold out and purchased a bakery, which he continued until 1865. He then returned to San Francisco, and found employment as baker in the International Hotel, then engaged in the saloon business, on Kearny street, for ten months, when he purchased the property situated at 1006 Folsom street, and opened a bakery, which he continued till September 1, 1871, when, coming to Contra Costa county, he purchased some property on which there was a small building. In the Spring of 1877 he commenced the erection of the San Pablo Hotel, which was completed in the Fall. Mr. Antony married, in Placerville, El Dorado county, October 20, 1862, Mrs. Josepha S. Pfaller, a native of Bavaria. On June 17, 1882, Mr. Antony died very suddenly.

SMITH ASHLEY.—Born in Huron county, Ohio, December 22, 1822, and was educated in his birth-place and resided there until 1850. He then began the trade of wheelwright, and continued it until November, 1852, when he started, *via* New Orleans and the Nicaragua route, for the Pacific Coast, and arrived in San Francisco January 5, 1853. His first year spent on this coast was in the San Antonio redwoods, at the expiration of which time he returned to San Francisco, and there found employment in a flour-store for two years. In 1855, Mr. Ashley returned to his Ohio home, where he resided until March, 1861, when he once more returned to the Golden State, and to Contra Costa county—locating in Pacheco for a short time. The succeeding years, up to 1870, were passed in different parts of this State and Nevada. In the latter year Mr. Ashley bought his present place, located two miles south of Pacheco, and engaged in farming. Was united in marriage in Huron county, Ohio, August 9, 1846, to Sally L. Call, a native of New York. By this union

they have three children: Julia V., now Mrs. A. Thurber; Florence A., now Mrs. Rev. G. M. Dexter; and Ella E.

SAMUEL S. BACON.—The subject of this sketch, whose portrait will be found in the present work, is the son of Stephen and Hannah (Pshaw) Bacon, and was born in Barre, Worcester county, Massachusetts, October 26, 1833. Here he attended the common schools and resided until he reached the age of eighteen years. At this epoch in his life, Mr. Bacon started for California, setting out July 5, 1851, going by public conveyance as far as Winnebago county, Illinois, where he had friends; and while visiting them prepared for the overland trip by ox-team, leaving there with one J. Dixon, March 20, 1852, arriving at Council Bluffs May 10th, where a company under Dr. Davenport, comprising one hundred and thirty-eight persons, left May 15th, going *via* Fort Bridger and Salt Lake, and arrived at Volcano, Amador county, California, August 25, 1852. Mr. Bacon worked in the mines until May 1, 1853, when he turned his attention to agriculture, selecting Contra Costa county therefor, arriving on the Government Ranch, then occupied by Majors Allen and Loring. In the year 1855, Mr. Bacon pre-empted a quarter-section of land at Bay Point, where he remained until 1860, at which time he removed to the town of Pacheco and opened a fruit and stationery store. Owing to the continued annual floods in that town, our subject concluded to change his location, and selected the new town of Concord, which had then been just laid out, moved thereto, erected and occupied the first business building in that now prosperous village. There Mr. Bacon still resides, transacting a large and profitable trade, and performing, as well, the duties of postmaster, to which position he was appointed March 28, 1872, and Notary Public for the last eight years. He has seven children: William, Sarah, Edward, Annie, Adeline, Florence and Clara.

ANGELO A. BAILEY.—The subject of this sketch, the present Superintendent of the Schools of Contra Costa county, is a native of Walworth county, Wisconsin, where he was born June 25, 1844. Here he received his education, primarily at the common schools of the district, and subsequently at the Big Foot and Allen Grove Academies, from which last-named institution he graduated. In 1865, then in his twenty-first year, he first left home to commence the battle of life. His initiation into the mysteries of "earning your own living" was in the pine forests of his native State—no holiday task we may be assured was his—and for three years he found employment there, chopping, sawing and rafting lumber, driving logs, etc. In the meantime, Mr. Bailey's father disposed of his Wisconsin home, and moved to McHenry county, Illinois, whither he was followed by his son, our subject, at the expiration of his term in the

primeval forests mentioned above. Remaining under the family rooftree—working the farm in Summer and teaching school in Winter—until May, 1873, Mr. Bailey, in company with his brother, Jefferson A., then purchased a band of fine horses, and in accordance with the advice of the immortal Horace Greeley, went west, Denver, Colorado, being their destination. Here, disposing of their stock, they ventured into the mazes of sheep farming for a year, but finally selling out, the subject of our narrative came direct to Santa Cruz county, California, where he pitched his tent in July, 1874. Now, his early scholastic training stood him in good stead, for he almost immediately re-entered upon the onerous duties of school-teaching. To this honorable profession Mr. Bailey has since adhered. Moving to Contra Costa county in the Spring of 1877, he became Principal of the Antioch Graded School, a position he filled most acceptably to the patrons of that institute for a period of nearly three years—in fact, until he resigned in order to enter upon the duties of his office as County Superintendent of Schools, to which position he had been elected at the Fall election of the year 1879. The functions of this office Mr. Bailey has since filled, and is now filling with eminent satisfaction to every School District in the county, to the entire population, irrespective of party, and with extreme credit to himself. Well can it be said, and happily may we re-echo the trite quotation, *Palmam qui meruit ferat.* Married, in Richmond, Illinois, March 23, 1871, Lottie Tibbetts, a native of that State, by whom he has: Mabel R., born May 10, 1873; Effie L., born February 9, 1875; Percy S., born April 12, 1879, died April 15, 1881; and Irving, born April 3, 1881.

JOHN BAKER.—Was born in Westmoreland county, Pennsylvania, July 4, 1819. When three years of age, his parents moved to Stark county, Ohio, where John attended the common schools, and afterwards learned the trade of carpenter, which he followed while there residing until 1845, in which year he moved to Cass county, Michigan, and there pursued his trade, and, at the same time, carried on a farm for three years. He then continued his calling, in several different places, until February 28, 1853, when he started, in company with a brother-in-law, with ox-teams, to cross the plains to California, and arrived in Contra Costa county September 25th, of the same year. In the Fall of 1855, Mr. Baker located on his present well-improved farm of one hundred and eighty acres, one-half mile east of the town of Walnut Creek, where he is now engaged in general farming and stock-raising. The subject of this sketch was married in Cass county, Michigan, June 4, 1848, to Miss Martha Ann Glass, a native of Harrison, Jefferson county, Ohio; by this union they have four children, Almira J., Frank P., John C., and Mary P.

JOSIAH R. BAKER.—The subject of this sketch was born in Salt Lake city, Utah, April 20, 1853. When quite young he moved to Ogden, and was there educated in the common schools of that city, where he was afterwards employed as telegraph-operator for the Utah Central Railroad. October 1, 1870, he started on horse-back, driving a drove of cattle, to cross the mountains to California, and first located on Sherman Island, in Sacramento county, where he resided about one year, and then moved to this county, located in Antioch, and was employed as telegraph-operator and post-office clerk, a position which he held until April 11, 1878, when he was appointed postmaster at Antioch, a position which he now holds, and is also agent for Wells, Fargo & Co., and manager of the Western Union Telegraph Company. Was united in marriage April 15, 1879, to Miss Alice E. Wills, a native of Illinois; by this union they have one child, Ina E.

ROBERT O. BALDWIN.—The subject of this sketch, whose portrait it affords us much pleasure to produce in this history, is one of the earliest as well as one of the most prominent settlers of the beautiful San Ramon valley. He is a native of Eastern Ohio, and was born March 30, 1828. When but a child his parents moved to Summit county, same State, where our subject received a common school education, and resided on his father's farm until 1850. When in his twenty-second year he left his home to seek his fortune in the Golden West. On March 18th of that year, he, with a brother (now deceased), and six companions, started with mule-teams to cross the plains and mountains to the "land of promise"—California. When they arrived at North Platte they found that their progress was not as fast as they wished, and that their teams were failing and their provisions running short. They concluded that they had better abandon their wagons, and pack in order to hasten through. Halting for one day, they hastily constructed some pack-saddles with the harness and such things as they had on hand. Provided with two mules each, they resumed their journey, going by the way of Salt Lake, expecting there to obtain what provisions they were in need of. Much to their disappointment on arriving at Salt Lake they found that they could not buy any groceries nor flour, (harvest not having set in,) but they were fortunate enough to exchange some tea and sugar for a little corn-meal. With what they had they resumed their wearisome journey, and in order that their provisions might last until they could obtain more, each and every man was rationed —receiving a small portion every day. Yet they were all very cheerful and looked forward for better times. This way of living continued about three weeks, at the end of which time their appetites were pretty well sharpened. They arrived at the Sink of the Humboldt river, all well.

L. Anderson

Before crossing the much dreaded desert of forty miles, they sat down and ate the last of their provisions, and filling their canteens with water, started about four o'clock in the afternoon. There was no fear of mistaking the road, for it was lined with abandoned wagons, and dead animals were strewn about. They traveled all night, and arrived at Carson river about eight o'clock in the morning. There they met the first team with provisions from California, and not having had any food since they started across the desert, they were compelled to purchase some, notwithstanding that everything was sold at two dollars per pound. They did not buy more than for their immediate use, for as they came nearer to their journey's end, provisions got cheaper. Having crossed the mountains, they arrived at Hangtown, (now Placerville,) July 28, 1850. Here Mr. Baldwin embarked in mining for the Winter, and in the following Spring he removed to the North Fork of the Feather river, and there prosecuted mining until the Fall of 1852, when he came to Contra Costa county to visit some friends who were living in San Ramon valley. Impressed with the beauties of the valley and the surrounding country, Mr. Baldwin concluded to make it his future home, and in partnership with Wm. Meese (at present his next neighbor, and one of his companions across the plains), purchased three hundred and twenty acres of land, and engaged in agricultural pursuits, which they followed until the year 1855, when they divided their ranch, each taking one hundred and sixty acres, our subject choosing the place where he now resides. He has since added to his estate, until he possesses one of the finest farms in the county, consisting of nine hundred acres, one and a half miles southeast of Danville, and on which well appointed farm he resides. Mr. Baldwin is now prepared to enjoy the comforts attending a well-spent and useful life, surrounded by his interesting family, and having the confidence and esteem of the citizens of the county in which he lives. He was united in marriage in San Ramon valley, March 25, 1858, to Miss Mary Cox, a native of Indiana, by whom he has six children. Their names are May M., now Mrs. Dr. W. E. Hook, born May 1, 1859; Elmer H., born September 6, 1861; Robert O., Jr., born April 20, 1865; Jennie C., born December 30, 1866; Perry A., born August 14, 1869; and John F., born December 20, 1873. Mrs. R. O. Baldwin was born January 9, 1838.

MATHEW ROOT BARBER.—This old and respected pioneer of Contra Costa county, whose portrait appears in this work, was born in Delaware county, Ohio, August 7, 1815. When two years of age he was taken by his parents to Bond county, Illinois, where they engaged in farming and stock-raising, but losing his father at an early age, he went to live in the family of Hon. Elam Brown of Lafayette, but then of Morgan county, Illinois. Here Mr. Barber attended the common schools and resided,

until he attained the age of twenty-one years, when he started to face the world. In 1837 he took unto himself the faithful partner who still shares his home, and followed farming, together with wagon-making, his trade, until the ever memorable "days of '49." March 15th of that year he joined a train on the point of crossing the plains to the Land of Gold, which they reached after a weary journey of six months. The first place stopped at in California was Hangtown, now known by the less unpleasant name of Placerville, where they arrived in September. Here Mr. Barber betook himself to the mines for a spell, and afterwards engaged in the lumber trade in the redwoods, near San Antonio, then in Contra Costa county. While in the redwoods he wrote tickets for the first election of officers of Contra Costa county, which then consisted of the present Contra Costa and Alameda. After that he worked at the carpenter's trade, building several of the first houses in Martinez, some of them now standing. February 14, 1851, he sailed from San Francisco *via* Panama and New Orleans, to Illinois, and after a sojourn of a year—this time with his wife and family—drove a band of stock across the plains into California, ultimately arriving at Martinez, August 22, 1852. In the Fall of 1852 he purchased his present beautiful location, then consisting of unbroken plain and hill, with no improvements, two miles from Martinez, consisting of four hundred and forty-three acres, where he is engaged in general farming and fruit culture, his orchard and vineyard alone covering an extent of forty acres. Mr. Barber was elected to the office of Public Administrator for four successive terms, as will be gathered from our table of County Officers. He married in Pike county, Illinois, November 14, 1837, Orpha Bean, by whom he has had the following family: Maria B. (now Mrs. Lander), William H. (deceased), Daniel N. (deceased), Elam B., and Clara E. (now Mrs. Goodall).

BENJAMIN F. BEEBE.—The subject of this sketch, whose portrait appears in this work, was born in Frankfort, Herkimer county, New York, September 3, 1830, and there received a common school education and resided until fifteen years of age. When eighteen he served an apprenticeship at the wheelwright's trade in the town of Washington Mills, in which he continued four years. His next location was in the employ of James Gould & Co., in Albany; here he remained eight years. After a short sojourn in Greene county, we next find him in the employ of the well-known firm of Amos Rogers & Co., machinists, Oneida county; he remained with them until their failure in 1862. June 3, 1863, he started *via* Panama for California, arriving in San Francisco on the 29th of the same month. After a short stay in the metropolis he came to Contra Costa county, and first found employment in Pacheco, where he worked until 1865. He then engaged in farming, and November, 1868,

bought his present homestead, one-fourth of a mile from Concord, where he built his pleasant residence, and, after a successful life, is now one of Contra Costa's most respected citizens. Was united in marriage in Walnut Creek, June 10, 1869, to Miss Fannie C. Kuble, a native of Buffalo, N. Y. By this union they have one child living and one deceased. Bemjamin F., (now deceased); Carrie F., born February 8, 1872.

SEELEY JAMES BENNETT.—Is the son of Stephen R., and Susan (Gregory) Bennett, and was born in Delaware county, Ohio, October 9, 1833. Here he was educated and resided until 1854, during the time working on his father's farm. He then removed to Iowa and found employment with the Western Stage Company, with whom he remained until February, 1859, when he concluded to settle in California. Proceeding to New Orleans, he thence sailed *via* the Gulf of Mexico for the Golden State, where he arrived towards the last days of March. He came direct to Contra Costa county, and for the first year obtained employment in different places until March 1, 1860, when he embarked in the livery business in Pacheco, and there remained until 1862, when he transferred his establishment to Martinez, at the same time purchasing his present property on Ferry street in that town, to which he has since considerably added, and on which he has erected one of the handsomest and most substantial buildings in the county. In 1861, Mr. Bennett started and operated the first stage line from Pacheco to the Mt. Diablo coal mines, and sold out when he went to Martinez. Afterwards he started a stage line from Martinez to the summit of Mt. Diablo, which he still continues. In Mrs. Bennett we have an esteemed lady, distinguished as a taxidermist. Her ornithological collection is one of the most beautiful we have seen, and when it is remembered that the birds are all native to the county, and that they have been placed and worked entirely by her own unaided skill, we have said but little to enlighten the reader in this regard. Mr. Bennett married in Martinez January 20, 1862, Miss Jane E. Hough, a native of Ohio, and has an only son, Stephen E., born July 3, 1864.

MATHIAS BERLINGEN.—Everybody in this county knows or has heard of the subject of this sketch, as he is known to be one of the most prosperous farmers in the county. A native of the Rhine province, Prussia, he was born January 18, 1830, and there received a common school education, and resided until 1861. He then emigrated to America, and first settled on a farm near Chicago, Illinois, where he remained some two years; and in the Fall of 1863, started, *via* New York and Panama, for the "golden shores" of the Pacific, arriving in San Francisco December 26th of the same year. His next move was to Solano county, where he worked on a farm for three years, and, in the Fall of 1867, came to this

county, purchased his present valuable and well-improved farm of four hundred acres in the Point of Timber district, two miles north of Byron, and is now considered one of the most well-to-do as well as one of the most respected citizens of the community in which he lives. Mr. Berlingen was united in marriage in San Francisco January 29, 1874, to Else Katharina Schnoor, a native of Flensburg, Schleswig, Germany. He has one stepchild, Kate Schnoor, born September 16, 1867.

SIMON BLUM.—The reminiscences of the early pioneers and adventurers of the Pacific coast must ever possess a peculiar interest for the Californian. Green in their memory will ever remain the trials and incidents of early life in this land of golden promise. These pioneers form no ordinary class. Resolute, ambitious and enduring, looking into the great and possible future of this western slope, and possessing the sagacious mind to grasp true conclusions, and the indomitable will to execute just means to attain desired ends, these heroic pioneers, by their subsequent career, have proven that they were equal to the great mission assigned them—that of carrying the arts, institutions and real essence of American civilization from their homes in a remote country, and implanting them upon the shores of another hemisphere. Among the many who have shown their fitness for the important tasks assigned them, none merit this tribute to their characteristics and peculiar worth more fully than the subject of this sketch, whose portrait will be found in this work. Mr. Blum is a native of the northern portion of La Belle, France, where he was born May 22, 1834, and there received his education, and resided until he attained the age of sixteen years. In 1850 he sailed from Europe for the United States, and landing in New York, was there for two years employed in a wholesale mercantile establishment. At the end of this term he sailed for California, proceeding in the steamer *Uncle Sam* to Aspinwall, and from the opposite side of the Isthmus in the *Sierra Nevada* to San Francisco, in which harbor he arrived February 20, 1853. Here he engaged in merchandizing, and thus continued until the Fall of the following year, 1854, when he transferred his *locale* to Contra Costa county, and purchasing the business of Captain Fogg in Martinez, there established himself. This emporium was successfully carried on until the Spring of 1856, when the establishment was consumed by fire, and left little remaining of their large stock of goods. But Mr. Blum's motto was, and still is, to be "up and doing." The smoldering ashes of their store had scarcely cooled, when a new and more imposing edifice rose, Phœnix-like, from its expiring embers. From the old ruin sprang prosperity. As business increased, so came the necessity for more commodious premises—a want which culminated in the present elegant iron-front store of S. Blum & Brother. As an instance of what may be done when

the unswerving confidence of the public is gained, we may mention, casually, that the firm has sold, since 1877—the year of the erection of the present store—over one million dollars' worth of goods in retail alone. In the mart of S. Blum & Brother may be found anything and everything that may be required in a country of farmers—general merchandise, hardware, etc., while their stock of agricultural implements is as limitless as it is excellent. Our subject is also connected with the well-known grain firm of Fish & Blum, in Martinez, while he has also an extensive store in Susanville and Buntingville, Lassen county, California, doing business under the style of Blum & Alexandre. Thus have we outlined the history of a man of sterling worth, admired by all for his integrity, and loved by his fellow-citizens for his justness and goodness of heart. He married, in San Francisco, June, 1861, Leontine Alexandre, a native of France, by whom he has Myrthine, Albert, Edmund, Rosa and Hermine.

HENRY BLUME.—The subject of this sketch, whose portrait we now produce, is the son of Frederick and Sophia (Twiste) Blume, and was born in Prussia, March 4, 1837. Here he resided until the year 1856, first being educated, and afterwards following the occupation of a farmer. Mr. Blume now emigrated to the United States, arrived in San Francisco August 4th of the above year, and first found employment in a hotel. At the end of seven months, owing to ill-health, he abandoned this vocation, but on recovery commenced gardening, which he followed until the Spring of 1857. He next re-entered a hotel, and finally, in 1859, came to Contra Costa county. Mr. Blume first settled near Pinole, but in 1862 sold out and moved to his present residence and farm, consisting of three hundred and fifty acres, where he is engaged in dairying and farming. Married, November 17, 1867, Frederika Gohuning, a native of Prussia, and has: Henry A., born July 10, 1868; Frederick A., born April 15, 1870; William F., born April 2, 1872; Charles, born December 3, 1874; Albert F., born December 12, 1876.

JOSHUA BOLLINGER.—Born in Bollinger county, Missouri, June 1, 1810, where he resided until April, 1850, when he joined a company bound for the Golden State, and with ox-teams crossed the plains. On arriving in this State, he spent a short time in the mines, and then engaged in farming on the Yount ranch, in Napa county. He afterwards, in different parts of the State, carried on the same vocation, until January, 1854, when he returned to Missouri, and with his family again came to California, first settling in the Santa Clara valley, where he resided until 1855. In the Fall of that year he came to Contra Costa county, and located on the place now owned by his son Joseph, and known as Bollinger cañon. In 1866 he purchased his present farm of two hundred and

eighty-three acres, and is now one of Contra Costa's prosperous farmers. Mr. Bollinger was twice married, both times in Bollinger county, Missouri. By his first union he had five children; their names are: Elizabeth, Christopher, Adam, William and Joseph. Married the second time March 24, 1854, to Miss C. Luney. By this union they have seven children, as follows: George, Benjamin, Henry, Sarah, Mary, Arthur and Matilda.

JOHN W. BOYD.—Born in Southampton, England, March 22, 1826, where he received his education, learned the trade of blacksmithing, and resided until 1859. In that year he emigrated to Australia, but at the end of a year proceeded to the Society Islands where he sojourned six months; he then came to California, located on San Pablo creek, and followed his trade there until 1873, when he established himself at Pinole, taking J. A. Fraser into partnership in 1875. Married November 5, 1867, to Catharine Rowley, a native of England.

JOSEPH BOYD.—The subject of this sketch, whose portrait appears in this volume, was born in County Antrim, Ireland, June 22, 1822. At the age of twenty-three years he emigrated to the United States, first locating in New York, where he resided until June 24, 1850, when he took passage on board the steamer *Commodore Preble*, for California, *via* the Straits of Magellan and Panama, arriving in San Francisco, February 15, 1851. His first employment in the Golden State was as a fireman, but afterwards reverted to his trade of baker, which he had acquired in New York, continuing in this under the style and firm of Edington, Boyd & Co., afterwards Boyd & Miller. In October, 1858, he came to Contra Costa county, purchased the property on which he now resides, comprising one hundred and twenty-eight acres, situated one mile south of San Pablo, and is now engaged in farming. He married in San Francisco, August 8, 1856, Miss Rosanna Hodge, a native of Antrim, Ireland, and has no issue. It is a pleasure to state that Mr. Boyd is much respected by his neighbors, a sure sign of his honesty, worth and integrity.

THOMAS W. BRADLEY.—This old pioneer, whose portrait it gives us pleasure to present to our readers, is the son of Thomas and Edith (West) Bradley, and first saw the light in Sumner county, Tennessee, December 22, 1818. His youthful days were passed at the place of his birth until he reached nineteen years of age. His parents then moved west, and located in Jackson county, Missouri, where the subject of our sketch resided until May, 1843. He then, at the solicitation of two of the now resident pioneers of Napa county, Colonel J. B. Chiles and Wm. Baldridge, was induced to join them to cross the trackless plains to the then almost unknown regions of the Pacific coast. On the 30th of the above month

and year they started with mule teams, and after a long and weary journey arrived at Fort Hall, when they secured the services of that old and famous guide and hunter, Captain Joel R. Walker, to pilot them through the mountains, arriving, after a trip of fifty-five days, at Sutter's Fort, November 10, 1843. Mr. Bradley immediately found employment at the Fort, and was one of the party who placed in position the alarm bell, which was afterwards rung every thirty minutes to denote "all's well!" Our subject remained at the Fort until March, 1844, when he proceeded to Napa county, and found employment on the Yount ranch, until March, 1845. He now took charge of Chiles' ranch, in Chiles' valley, in the latter named county, and at that time built the adobe house still standing in that well-known glen. Here this fearless pioneer dwelt in solitude, his only companion being his faithful watch-dog, with an occasional visit from his nearest neighbor, some twenty miles distant. Mr. Bradley's narrow escapes from the beasts of the forest, while living in his valley home, would alone be sufficient to fill a good-sized volume! In 1846, on the breaking out of the Bear Flag War, Mr. Bradley enlisted in Captain Grigsby's company, and took part in all the demonstrations during the contest for the independence of the Golden State. On the close of hostilities our subject once more repaired to Chiles' valley, where he continued to reside until 1849, when he was married, and in June of the same year, came to Contra Costa county, and to the redwoods, where he secured lumber, hauled it to Martinez, and, in company with others, put up a building, in which he kept a hotel in the Winter of 1849–50. In the Fall of 1850, we find Mr. Bradley located on a ranch between Martinez and Lafayette, where he resided for ten years, and then removed to Lafayette and remained there until 1868. We next find him in Merced county, engaged in farming. In the Spring of 1871, Mr. Bradley again returned to his favorite county of Contra Costa, and to his present place, two miles above Lafayette, where this honored pioneer is now anchored, enjoying the comforts of a well-spent, honest life—beloved by his children, and respected by the whole community in which he lives. He was married in Chiles' valley, Napa county, on Christmas Eve, 1846, to Miss Rebecca Allen, a native of Missouri; by this union they have nine living children. Their names are: James Warren, John Willard, William T., Josiah, (now deceased), Henry, (deceased), Sofrina J., now Mrs. Eachus, Elizabeth, George A., Edith, Isaac W., and Annie Bell.

JOHN BRAWAND.—Born in the Canton of Berne, Switzerland, March, 1832, and there resided until nineteen years of age. He then left his native land and emigrated to the United States, and first located in St. Louis, Missouri. The next seven years were spent in that State, Iowa and Kansas. In October, 1857, he started from the latter State to cross the

plains to California, arriving early in the Spring of 1858. He immediately proceeded to the Frazer river and there followed mining for two years. In the Fall of 1860, he returned to San Francisco, from whence he sailed for his native land to pay a visit to his old home. Sojourning but a few months, he again returned to the United States, and purchased a farm in Iowa, on which he resided but a short time, when he, at his adopted country's call, enlisted in the Spring of 1861, in Company "C," 16th Iowa Volunteer Infantry, in which he served for nearly three years, being discharged on account of disability. He again returned to his farm in Iowa. A short time after was married, sold out and removed to Kansas, where he remained until 1867, when he again crossed the plains with horse-teams, of which he was robbed by Indians *en route*, to this State. Our subject first located in Alameda county. In April, 1869, he moved to Concord, Contra Costa county, where he engaged in teaming until April, 1877, when he purchased a half interest in the well known livery stable of Mahony & Brawand, of Concord, where he now resides. The subject of our memoir was married in Muscatine county, Iowa, in 1864, to Miss Margaret Bohren, a native of Switzerland. By this union they have four surviving and four deceased children. The names of those living are: Annie, Alice, Minnie and Clara.

JOHN L. BROMLEY.—This gentleman, whose portrait appears in this work, once a prominent and valued citizen of Clayton, Contra Costa county, but in later years a resident of Oakland, Alameda county, is a native of Baltimore, Maryland, in which city he was born December 24, 1820. His parents were Lewis and Ann C. Bromley, and his grandfather was John Bromley, of Mount Savage, Maryland; the Bromleys were of English extraction, and made their earliest home in Vermont and New York. In 1851 Mr. Bromley was united in marriage with Miss Anna Levering, likewise a Baltimorean, but whose immediate ancestry pertained to Pennsylvania, her grandfather having been Peter Levering, a member of the Society of Friends. By this union there are the following children: William Lewis, born in Baltimore, Thomas Levering, Anna C., Robert Tunis, Martha M., Joseph H., Ella V., Walter F., Marion, Virginia, and Roscoe P. The salient points of Mr. Bromley's somewhat eventful and active career may be briefly set down as follows: Pursuing mercantile affairs in Baltimore in his youth and early manhood, when the Mex- War began, he laid aside the arts of peace and entered upon a military career, which lasted until the cessation of hostilities. He participated in the various battles which led up to the grand result of the capture of the city of Mexico. Entering the service as Orderly Sergeant, Mr. Bromley, through his own abilities, and the fortunes of war which cut off his superior officers, rose to the command of his company. Upon this point, and

as patriots,we may say that the Bromley families have, during their lives, more or less represented themselves in all the wars that were in honor and defense of their country's cause. The war ceasing, the young soldier returned to Baltimore and engaged in extensive mercantile transactions, until the year 1852, when, having married as before stated, he, with his little family, set out for the "Sunset Land," and locating in San Francisco, continued his former business pursuits for a time. In 1853, however, he removed to the county of Contra Costa, locating on the Mount Diablo ranch, where he remained for no less than twenty years, devoting himself to agricultural pursuits, with uniform success, and establishing an enviable character for enterprise and uprightness among his contemporaries, whose appreciation was shown by his election on various occasions to offices of trust. The position of Justice of the Peace, Associate Justice of the Court of Sessions, Supervisor of the county, and finally Assessor, were in turn occupied by him. In 1873 the subject of this sketch removed to his present happy location in Oakland, accompanied by his interesting and now well-grown family. In his latter home Mr. Bromley has continued the exercises of those principles which in earlier years endeared him to, and commanded the respect of, any community wherein, for the time, he might be placed. In closing this sketch it may be appropriate to remark that now, after an active life of three-score years, the gentleman of whom we write shows a vigor, both of body and mind, which bids fair to make his life include many more years of enterprise and well-directed effort.

HON. ELAM BROWN.—It is not strange that among the pioneer settlers of any new country a deep-seated and sincere friendship should spring up, that would grow and strengthen with their years. The incidents peculiar to life in a new country—the trials and hardships, privations and destitutions—are well calculated to test not only the physical powers of endurance, but the moral, kindly, generous attributes of manhood and womanhood. They are times that try men's souls and bring to the surface all that there may be in them of either good or bad. As a rule, there is an equality of conditions that recognizes no distinctions. All occupy a common level, and, as a natural consequence, a brotherly and sisterly feeling grows up that is as lasting as time, for "a fellow-feeling makes us wondrous kind." With such a community, there is a hospitality, a kindness, a benevolence and a charity unknown and unpracticed among the older, richer and more densely populated commonwealths. The very nature of their surroundings teaches them "to feel each other's woe, to share each other's joy." An injury or a wrong may be ignored, but *a kindly, generous, charitable act is never forgotten.* The memory of old associations and kindly deeds is always fresh. Raven locks may bleach and whiten; full, round cheeks wither and waste away;

the fires of intelligence vanish from the organs of vision; the brow become wrinkled with care and age, and the erect form bowed with accumulating years, but the *true* friends of the "long ago" will be remembered as long as life and reason endure. The surroundings of pioneer life are well calculated to test the "true inwardness" of the human heart. As a rule, the men and women who first occupy a new country—who go in advance to spy out the land and prepare it for the coming of a future people—are bold, fearless, self-reliant and industrious. In these respects, no matter from what remote sections or countries they may come, there is a similarity of character. In birth, education, religion, and language, there may be a vast difference, but imbued with a common purpose—the founding and building of homes—these differences are soon lost by association, and thus they become one people, united by a common interest, and no matter what changes may come in after years, the associations thus formed are never buried out of memory.

We can almost fancy the honored octogenarian, whose name is at the head of this narrative, chanting to himself Bayard Taylor's sublime stanza:

> "Oh! a wonderful stream is the river of Time,
> As it runs through the realm of tears,
> With a faultless rhythm, and a musical rhyme,
> And a broader sweep, and a surge sublime,
> As it blends in the ocean of years."

The Honorable Elam Brown, the second pioneer resident of Contra Costa county, whose portrait most appropriately finds a place in the body of this work, is of Scotch descent, and was born in Herkimer county, New York, June 10, 1797, his parents being Thomas and Elizabeth (Lynes) Brown, both much respected in all the places of their residence. This great Nation, when our subject was born, numbered but few of the white race; his parents, too, were pioneers in sections of the Great Republic which now count their inhabitants by millions; while their descendants have followed closely in their footsteps, planting civilization in unknown lands, and living an example of honest rectitude, that has made their name revered in more climes than one. At the tender age of twelve months, Mr. Brown was taken by his parents to Berkshire county, Massachusetts, where his father followed his avocation of a farmer for six years. Here they remained until the year 1804, when they emigrated to what was afterwards Delaware county, Ohio, which was then an all but impenetrable region of huge trees—yet now a smiling land of rare plenty. The journey thither also was one of extreme difficulty—seven hundred long weary miles through a sparsely settled country, opposed by mountain and stream, and met by fatigue and exposure. At last, from an elevation, they saw at their feet the exquisite Ohio, winding its way into the distance in many a beautiful meander.

Henry Wilkening

Discomforts were for the time forgotten, and with hushed whispers the fair scene before them was canvassed. Below them at a considerable distance nestled on the bank of the stream the cluster of houses comprised in the village of Wheeling, while there extended beyond mile upon mile of the vast forest whither they were bound. Since that panorama was witnessed by the seven-year old boy, seventy-eight years have rolled away, yet is the scene as vivid in Mr. Brown's mind as ever. Such of Nature's beauties do not die; they live as life-marks to note the foot-prints on the sands of time. From Wheeling they crossed the river into Ohio, finding only one dwelling on the bank opposite that now large and prosperous city. Placing the river at that point to their rear, a distance of fifty miles through more forest brought the voyagers to eight or ten cabins which then formed the village of Zanesville, now in Muskingum county; thirty miles more found them at the hamlet of Newark, now in Licking county, with its four or five simple cabins; five miles beyond they came to a solitary house that stood on ground now occupied by the town of Granville, where their further journey was for the moment brought to a stand-still. Before them there lay a dark, impenetrable forest which showed no sign of a trail. Twenty-five miles of this jungle lay between them and their destination, and naught was left but to open a road. The pioneer, however, is often brought face to face with such difficulties, to surmount which he at once puts his shoulder to the wheel—he knows no discouragement. The road was duly opened and the haven of rest safely reached. By the new arrival the little community was increased to nine families, four of which being from Berkshire county, Massachusetts, gave to the place the name of the Berkshire Settlement. On the shore of Lake Erie, one hundred miles distant, was their nearest white settlement northward; to the southward, they had the settlement of Worthington, at a distance of fifteen miles. There then was it that Mr. Brown, at the tender age of seven, entered upon a frontier life, enduring without complaint its thousand-and-one hardships, and enjoying as only the young can its hundreds of strange pleasures. Roads there were none whereby goods could be transported in wagons. Therefore, the undertaking to make such by the felling of trees, when each one was a veritable primeval monarch, was a matter of much labor and time. Thus the adult males were confined to the hard work of clearing and improving, while those of more tender years were given duties, though still trying, yet more fitted to them. As an instance Mr. Brown has said: "I was often sent on horseback, with a bag of corn, twenty-two miles to mill." When strong men are hard at work in a small community, insidious disease may creep in almost unawares, and then are we startled by the appearance of the Fell Reaper to claim some loved one. The first to cross the dark river in the little settlement of

Berkshire was a Mrs. Vining. By this sad event the settlers were put to their wit's end to give the poor lady a proper Christian burial. A meeting was called to ascertain by what means lumber could be procured wherewith to make a coffin, when it was proposed by a Mr. Curtis that a tree should be chopped down, high enough up for the length of the casket, and saw it downward with a cross-cut saw. The suggestion was not adopted, however, but other and satisfactory arrangements were made whereby the woman received a decent burial. It is always curious to watch the raising of the earlier public buildings in a pioneer village. That in Berkshire was of the typical kind. The first school building was a log cabin, its seats and desks being wrought from split logs, with the flat sides hewn off smoothly. Here it was that Mr. Brown first drank from the fountain of knowledge as found in books, and laid the foundation for that love of literature which he has found in after years so beneficial. Yet he received no uninterrupted course of tuition, for as the eldest of his father's sons he had to give much time and attention to duties on the farm, a practical course of study, which, though retarding that from books, was indubitably not without its usefulness. He early became deeply interested in history and geography, and made these branches his chief study. In the year 1815 his father died; the cares of his estate therefore rested on his son, who faithfully discharged these duties until 1818. Mr. Brown being now twenty-one years of age, and in the eye of the law attained to man's estate, he set out from Ohio, on foot, to St. Louis, then a French trading post, five hundred miles distant; but not meeting with that success there which he anticipated, after rafting on the Missouri for a Winter, he went to Madison county, Illinois, in company with Charles Gregory (uncle to Munson Gregory, of Ygnacio valley, Contra Costa county), and there farmed in "shares" for one year. He then went some fifty miles north on Apple creek, a recently formed settlement (afterwards organized into Greene county), where he engaged in farming for three years, during which he married the daughter of Thomas Allen. At the expiration of the above specified term, Mr. Brown moved twenty-five miles further north, to a settlement then forming in the wilderness, but which he took an active part in afterwards organizing into Morgan county. Save the Summers of 1826–7, which our subject passed in the lead mines of Wisconsin (which were then indefinitely placed in regard to State qualifications), Mr. Brown resided in Morgan county fourteen years, during twelve of which he filled the office of Justice of the Peace. In the Fall of 1836 he moved from Illinois to that tract of land bordering on the Missouri river acquired in that year from the Indians and designated the Platte purchase, where he located, cleared a farm of one hundred and eighty acres, took up his residence thereon, and aided in the organization of Platte county. In this place he lost his first wife.

In the year 1846, Mr. Brown determined to emigrate to the Pacific Coast; he therefore formed a company from out the residents of the above county, and preparations were commenced for the long, weary journey across the plains. Early in the Spring all arrangements were completed, Mr. Brown appointed Captain, and May 1, 1846, the fourteen families, with their sixteen wagons crossed the Missouri river at St. Joseph, to encounter the long, wandering woe of the perilous journey. As the voyage progressed naught occurred to vary the monotony save those events usually incident to the trip; the train was augmented by the joining of other companies bound to Oregon, until at last it consisted of thirty wagons. At the South Platte the first of their adversities commenced. After traveling up the river and camping at the confluence of two of its tributaries, soon after dark a stampede of their cattle ensued, caused, it is supposed, by buffaloes. Thus one hundred and twenty head, sixty-two of which were oxen, were lost, while the search for them caused a week's vexatious delay. Their teams were now much broken up; however, some cows were purchased from other trains, and by working these with those of their own cattle, the journey was continued. When within a few day's voyage from Fort Laramie, our subject, with five men, pushed on to the station in order to make arrangements for the purchase of some oxen, and to have some necessary repairs made by a blacksmith—if there was any there—but there was not. They had not gone far, when they were met by an Indian on horse-back, who seemed anxious to communicate with them, but the party were unable to discover the meaning of his signs; he turned and accompanied them. Soon they reached an elevation, from which they looked down upon the Platte, at a distance of about two miles; there, to their amazement, and in anxious wonder, they beheld about three hundred mounted Redskins. The Indian with them waved his blanket as a signal, while his brethren advanced towards them in solid column, at a trot, their gun-barrels and dress glittering in the sun—"the sheen of their spears was like stars on the sea." Mr. Brown says that in the whole course of his long life he never witnessed a more perfect manœuvre, by any cavalry, than was performed by these nomadic braves. Judging the movement to be a favorable one, he caused one of his comrades, named Crowley, to return to the train, with directions that they should form into two lines and thus advance, in order that, if needed, they could swing together; they were also to look well to their arms and to have them ready in case of emergency, for should the Indians prove hostile, death would be preferable than life with them. Alone with Mr. Scott, the others having gone back to the wagons at the first sight of the Indians, Mr. Brown awaited their approach with unflinching courage. When within twenty or twenty-five feet of them, he raised his hand as a signal for them to halt; they did so. The chief now dismounted,

and pacing to and fro in front of the squadron, addressed them by word and gesture. The pantomimic harangue concluded, with extended hand he advanced towards Mr. Brown; he was soon followed in a like manner by eleven others. The train had almost reached them by this time; he procured some tobacco, motioned the chiefs to be seated, which they did, in the form of a circle. The tobacco was handed to the head chief, who distributed it, lighted a pipe, and after taking a whiff, passed it to Mr. Brown, who, following the example, passed it to his neighbor—and so on, until the circle was completed. From the strange presence around them, the cattle became very restive, and it was only by dint of much exertion that the men were enabled to prevent a stampede; therefore, in order that they, with the wagons, should pass on, Mr. Brown signified to the chief to open his lines for the purpose. The request was immediately granted, the troop wheeled to right and left, an avenue was opened, the teams passed through, and proceeding, camped near the fort on the North Platte; the Indians, following them, encamped in their vicinity. That evening some annoyance was felt by the emigrants, on account of some of the Indians coming into their camp and meddling with things in the wagons, which was soon stopped by the chief, who, on complaint being made, mounted a wagon-wheel, made a speech, and stopped the further molestation of our party by his followers. At this juncture a French trader at the fort informed Mr. Brown that the Indians expected a feast from the emigrants, as a *quid pro quo* for the destruction of game in their country as they passed through it. On account of the high wind which blew, the merry-making could not be undertaken that evening; the morrow was fixed for the gala occasion, when plenty of provisions were prepared, taken to a short distance from the camp and placed upon logs. The whole troop were invited to be present, but, most unexpectedly, none but the chief and his eleven sub-chiefs made their appearance at the hospitable board. The viands discussed, a friendly chat ensued between Mr. Brown and his guests, through an interpreter; while the entertainment was brought to a close by a few presents—all departing good friends. That afternoon these "braves," who were a band of Sioux warriors going north to fight the Crows, crossed the river, and were seen no more. For the whole of the next day our party traveled up the river, and camped in the evening near a spring about half-a-mile from it. At dark another stampede of the cattle took place, taking the road they had just come; but on arriving at the river, into it they plunged, and swam to an island about eighty rods from the bank. They were brought back to camp at midnight by two young men—George Stillwell and George Marsh—who had swam the river, followed them through the brush about half-a-mile, dressed in nature's garb, and thus secured them.

Passing through the since-famous Black Hills, they crossed the North Platte, which they fortunately found fordable—the day before it had been a seething torrent—then proceeded up the Sweetwater, which they struck at Independence Rock, and climbing the mountains, descended to Green river, fording which they arrived at Fort Bridger. For some weeks prior to their arrival at this point, sickness had become very prevalent among our voyagers, Warren Brown, as well as others, being prostrated by typhoid fever—indeed, so ill was this son of our subject that the grief-stricken father was obliged to leave him behind at the fort, with but a remote expectation of ever seeing him again. Delay was not to be thought of, however, where so many lives were at stake. The expedition therefore, once more took up the line of march to Bear river, Soda Springs, Fort Hall and onwards to the Snake river, down which they traveled forty miles to Goose creek, finally turning south to the Thousand Spring valley thence to the Humboldt. Unhappily, disease haunted them to this stream, one-half the company being sick, while two heads of families —Messrs. Allen and Adams—had died between the Snake and Humboldt. They then followed the course of this river to its sink, where Mrs. A. Allen was committed to "Mother Earth," and from thence proceeded west across the eight-mile desert on to the Truckee. And now what a change came o'er the spirit of their dream! The pure, cold water of the river was to the weary traveler as the healing of a nation. They traveled up the river, crossing it twenty-seven times with much difficulty on account of its swift current and huge boulders, and were ultimately brought to a stand-still near the summit of the mountains. There it seemed as though the weary travelers were headed off from the Promised Land. The Sierra Nevada reared their white crested summits far above them, while the ascent was so steep that their weary teams could not draw the wagons up the precipitous and rugged sides. It was a gloomy time to them; but not a time to parley. They knew something had to be done; Winter was close at hand; with it starvation and certain death. One of two things must be done—stay there and trust to fate or surmount the mountains—they chose the latter. And now commenced a series of obstacles before which the stoutest heart might quail. After much labor fifteen yoke of oxen were got to the top of the mountain. A chain was then extended from the team to the wagons, which were two hundred feet below, but to prevent the chain from bearing upon the ground, a large roller was placed on the summit, over which passed the chain, by which means they were enabled to draw up one wagon at a time. Just fancy the amount of labor all this involved! By sunset, the sick and every wagon was at the summit of the Sierra. There was a joyful company around the camp fire that night. They had surmounted the great barrier and anticipated an easy down grade. Their joy was well founded; as was

exemplified by the lot of the ill-fated Donner party, who were but a few days behind them. Yet this down-grade was not all sunshine. While going down the Bear River Mountain, one of the wagons belonging to ex-Governor Boggs pressed one of the teams off the narrow grade into the cañon, the vehicle being prevented from following the animals by lodging against a large pine log which was lying at the edge of the trail. The oxen were suspended in the air with their hind feet just touching the ground. The bows were knocked out to let the oxen down. The grade was so steep that some dragged limbs of trees behind their wagons to act as a "break," but the most approved way was to chain all the oxen except one yoke to the hind part of the wagon, with a man to each yoke, with club in hand; they would go down whirling, shouting "Whoa!" from the top to the bottom. In all this long journey from St. Joseph on the Missouri river, to the slopes of the Pacific, there was not a bridge nor a ferry for the crossing of any stream. Mr. Brown and his party entered California, at Johnson's ranch, October 10, 1846, where they found the proprietor to be a rough sailor, dwelling in a dirty, little hut, and surrounded by naked Indians—a fact which we understand caused some confusion among the ladies of the train. Continuing their journey they camped on the spot where Sacramento, the Capital of the State, now stands. About a mile and a half up the American river, at New Helvetia, stood the hospitable enclosure of Sutter's Fort, where beef, flour and other commodities were procured, the fresh meat and bread being highly appreciated, for they had been long desired. Here it had to be decided whither the party should permanently locate, the places receiving the greatest favor being the Santa Clara valley, Napa and Sonoma. After a few days' rest Mr. Brown declared for Santa Clara. He, however, feared that his teams would not be able to take his wagons, for many of his oxen had fallen by the way, and left to be devoured by Indians and wolves; those he still had were living skeletons. Supposing Santa Clara to be in the vicinity of Yerba Buena (San Francisco), he therefore made arrangements with Captain Sutter to transfer a wagon to that port in one of his boats. At this period there was but one house between Sutter's Fort and the Mission San José, and which was in the Livermore valley. Our subject first proceeded to the Mission San José, but after a week moved to Santa Clara, where, on account of difficulties with the Mexicans, all the families resident to the south of the Bay of San Francisco had assembled for safety; here, on his arrival, Mr. Brown found thirty families collected, with but fifteen men to protect them; the others had gone to join Fremont who was then pressing General Castro, and driving him from point to point, while the valiant Spaniard contented himself with penning bombastic proclamations to the people, and high-flown communications to the Authorities in Mexico. Such was the military

enthusiasm of the period that it was not difficult, as it might be to-day, to recruit an armed force. In October (1846), Charles M. Weber and John M. Murphy were commissioned by Commander Hull, of the U. S. sloop-of-war *Warren*, in command of the Northern District of California, as Captain and Lieutenant respectively, in the land forces. They quickly raised a company of scouts which had their headquarters in San José. And this recruiting spirit was not confined to the settler, for as soon as immigrants arrived at Sutter's Fort they were visited at once by Captain Granville Swift, of Fremont's battalion, and asked to volunteer, which several of them did. Among these was Joseph Aram, familiarly known in San José by the present residents as he is by all old pioneers. He was commissioned by Fremont as Captain, and told to proceed with some of the immigrant families to the Santa Clara Mission, rather than to San José, for there were more houses there, but such was their state, and owing to the inclement Winter, the unfortunate women and children suffered terribly, and no less than fourteen of them died. Captain Aram had managed to form a company of thirty-two men, among whom was Mr. Brown, whose head-quarters he established at Santa Clara for the purpose of protecting the families there; he thereupon essayed to place the mission in a suitable state of defense, by constructing barricades, built principally of wagons and the branches of trees, for he had learned that Colonel Sanchez and a body of mounted Californians were hovering in the vicinity. In the month of November, San José was formed into a military post, and sixty men, with Messrs. Watmough and Griffin, under Lieutenant Pinkney, of the U. S. ship *Savannah*, sent to protect the inhabitants in the district. This force left Yerba Buena early on the morning of the 1st, and proceeding by the ship's boats up the bay, about sunset made fast to the shore, and that night camped on the site of the present town of Alviso. Dawn of the next day found Lieutenant Pinkney and his command on the route, and after a weary march, for muskets, bayonets, cartridges provisions and blankets, had to be transported on the men's backs, arrived that afternoon at San José, when he immediately took possession of the *Juzgado* (the Hall of Justice), converted it into a barrack, placed a sentry on the Guadalupe bridge, and ordered a guard to patrol the streets throughout the night. He dug a ditch around the *Juzgado* of two feet in depth and one in width, at about sixty feet therefrom, into which he drove pickets seven or eight feet long. On the outside thereof he dug a five-feet wide and four-feet deep trench, the dirt from which he threw against the pickets, thus forming a breast-work. At each corner he made a gate, and on each side mounted a guard, and otherwise made himself free from surprise and attack.

The military freebooter, Sanchez, was at this time creating a reign of terror in the district conterminous to San José; neither man, horse, nor

stock of any kind, being free from his predatory band. Concealing themselves in thicket or ravine they were wont to fall upon the unsuspecting traveler, who, after being robbed, was too often most foully murdered. In the month of December, 1846, about the 8th day, a party under Lieutenant W. A. Bartlett of the sloop-of-war *Warren*, and six men, among them being Martin Corcoran, now of San José, Richard Watkins, at present a Judge in Mono county, William Leavens, and three others, started from Yerba Buena to purchase beef for the United States forces. When arrived in the vicinage of that locality, where now stands the Seventeen-Mile House on the old San Francisco and San José road, and when in the act of driving together some cattle, thirty of Sanchez' men rushed from an ambuscade, captured them, and carried them off to their camp in the redwoods in the Coast Range of mountains, but after a space removing to another portion of the same chain in San Mateo county, he increased his corps to a hundred men and one piece of artillery—a six-pounder—and commenced a succession of marauding expeditions in the country between San José and San Francisco. Intelligence reaching the former place of these depredations of Colonel Sanchez, Captain Weber, without delay sounded the "call" to boot and saddle, and about Christmas Day was in full pursuit. Learning, however, of the recent addition to the enemy's strength, he avoided an encounter with a force so much his superior in numbers, and pushed on to San Francisco, where he reported to the Commandant.

Still retaining his seven prisoners under close guard, Sanchez advanced into the Santa Clara valley by way of the head of the Bay of San Francisco, and called a halt about ten miles from San José, which place he came to after a rest of forty-eight hours. Aware full well that Weber and his company were not in the town, and nothing remaining for its defense save a few marines, he thought that it would fall before his mighty presence, even without firing a shot. He therefore dispatched a note to Lieutenant Pinkney, calling upon him to surrender and withdraw his men; in which event the Americans would be permitted to retire unmolested; should he refuse, an attack would be forthwith made and all put to the sword. But Pinkney was not to be intimidated by such shallow bravado. As the sun sank into the west on that day, he formed his men in line and read to them the arrogant communication of the robber chief, which being ended he said if there were any there who did not wish to fight, they had full liberty to rejoin the ship at San Francisco. Such, however, happily is not the spirit of the American people or their forces, else the glorious Union would not be in the lead of nations as it is to-day. Pinkney's men raised their voices as one man, and elected to stay and let Sanchez do his worst, while their gallant commander vehemently asserted: "Then, by G—d, Sanchez shall never drive me out of here alive!" and

then there burst from the throats of that handful of heroes one hoarse cheer that made the welkin ring. Like a true soldier, the Lieutenant gave not an order the carrying out of which he did not personally superintend. He divided his force into four squads, who were, on the alarm being sounded, each to press for a particular side of the breast-work, already arranged upon; if, however, the enemy should be found in a body trying to effect an entrance at any one side, then were the four divisions to rush *en masse* to that spot. That night Pinkney doubled the guard, and his men slept on their arms. It was his expectation to be attacked by a force immeasurably superior to him in numbers; but at dead of night Sanchez rode around the *pueblo*, reflected deeply, and wisely determined that to be valorous was to be discreet, therefore he withdrew his men, leaving our forces in full possession. Lieutenant Pinkney was a tall, well-proportioned man, over six feet high, with sandy whiskers and hair. He was as straight as an arrow, and looked the soldier all over. His very appearance showed where he would be in a hot contest. There was not a man among his little band that did not have the utmost confidence in him.

Let us now return and see how fared it with the prisoners captured near the Seventeen-Mile House. To try and effect their release, the British Consul, James Alexander Forbes, visited Sanchez' band, where his brother-in-law was serving, and strove to obtain the liberation of the captives, but with no success. After a good deal of palaver, however, Sanchez consented to Lieutenant Bartlett being permitted to accompany Forbes to his residence in Santa Clara, but on no account was he to be handed over to the American authorities, while, as to the other six, he was willing that they all should be surrendered to their nationals, but Captain Weber, who had, before the commencement of hostilities between the United States and Mexico, been in the service of the latter Government, must be given up to him. Consul Forbes transmitted the result of his diplomatic mission to the commanding officer at San Francisco, who replied that he unconditionally refused such terms, and Bartlett could be returned to Sanchez.

A day of reckoning was now fast drawing nigh, for a little army, with the destruction of Sanchez and his band in view, was being formed in San Francisco under command of Captain Ward Marston, of the marine corps attached to the United States ship *Savannah*. The force was composed as follows: Assistant Surgeon J. Duvall, Aid-de-Camp; detachment of Marines, under Lieutenant Robert Tansil, thirty-four men; artillery, one field-piece, six-pounder, under charge of Master William F. D. Gough, assisted by Midshipman John Kell, ten men; interpreter, John Pray; Mounted Company San José Volunteers, under command of Captain Charles M. Weber, Lieutenant John M. Murphy, and Acting Lieutenant

John Reed, thirty-three men; Mounted Company of Yerba Buena Volunteers, under command of William M. Smith and Lieutenant John Rose; with a small detachment, under Captain J. Martin, of twelve men, the whole being in the neighborhood of one hundred men of all arms. The little army marched out of San Francisco on the 29th December, their course being southward and through the Santa Clara valley. On the morning of January 2, 1847, they came in sight of the enemy, who, upon learning of their approach, had dispatched their prisoners, on foot, for no horses for them to ride could be provided, into the mountains in charge of an escort of twelve men, who, having proceeded a couple of miles, halted.

Upon the force of Americans coming up with the enemy, at ten o'clock in the morning, orders were given to open fire at two hundred yards' range, which was done with telling effect, the first one or two volleys entirely breaking the line in which Sanchez chose to fight. Finding his alignment cut in twain, Sanchez wheeled his men so as to bring each of his sections on either flank of Captain Marston's corps, but still making a retrograde movement, while the latter advanced. Ever and anon would the desperate Colonel rally his already demoralized troops in front, and again wheel them on the flanks of his opponents, thus alternately fighting in front and on flank, but still keeping up the order of his retreat, for two or three hours.

Lieutenant Pinkney, from his fortified position in San José, hearing the firing, gave orders for the making of hundreds of cartridges, and placed everything in a state of defense, in case Sanchez should be victorious and come down on the *pueblo*, while he waited anxiously for news of the battle, for he believed the Americans were outnumbered, and had some doubt as to how the fortunes of the day might turn; while, at the Santa Clara mission, people crowded the roof-tops and there witnessed the engagement, to which place the retreat tended. Here Sanchez was met by Captain Aram, who sallied out to check his falling upon the settlements. Finding this new force to contend against he drew off, unwilling to renew a fight of which he had already too much, and found his way to the Santa Cruz mountains, whence he dispatched a flag of truce and a communication stating the terms on which he would surrender. The reply was, his surrender must be absolute, and notwithstanding that he said he would die first, an armistice was agreed upon, and dispatches sent to the Commandant at San Francisco, asking for instructions.

Meanwhile Lieutenant Pinkney's suspense was put to an end by the receipt of a message as to the outturn of the action, while Marston marched his men to the Santa Clara Mission, where they were received with demonstrative joy by the American ladies and children there assembled. Captain Aram now received permission to proceed in quest of certain

John Nicholl

horses, which had been stolen from the American settlers in the valley, some of which he knew to be in the cavalcade of the enemy, and while engaged in this duty, he was informed by Sanchez that another body of United States troops was on its way from Monterey. This information could scarcely be credited by the Captain, who, ascending a commanding point, perceived the intelligence to be correct. This accession to the fighting strength of the Americans made Sanchez tremble lest he should be attacked by them; he therefore begged Aram to advance and inform them of the situation of affairs, which he did, much to the chagrin of the new-comers, who were longing to have a brush with the enemy. This force was under the command of Captain Maddox of the United States Navy, and consisted of fifty-nine mounted sailors and marines.

The courier sent to San Francisco returned on the 6th with instructions to Captain Marston that the surrender of Sanchez must be unconditional, a copy of which he transmitted to the Colonel, whereupon the terms of capitulation were agreed upon. Another reinforcement arrived under Lieutenant Grayson on the 7th, and on the 8th, Sanchez and his whole force laid down their arms, and the seven anxious prisoners were returned to the hands of their countrymen. The Mexican Colonel was taken to San Francisco and held as a prisoner, for a time, on board the U. S. ship *Savannah*, while his men were permitted to return to their respective homes, and thus was the curtain dropped upon the closing act in the warlike drama, as enacted in the northern part of Upper California during the hostilities between the United States and Mexico.

In a little, the contest was at an end, peace wasa greed upon, and the war-clouds dispelled; yet the country was without a government, and without that there was no order. True, from the office of Colonel Mason, at Monterey, there flowed out appointments of Alcaldes and Justices of the Peace, but these were furnished with no laws to guide them, and curious indeed were the mistakes perpetrated by some. The innocent verdict of a court that was ruled by the silver-headed cane of an Alcade was sufficient to instill fear into the mind of the ingenuous Californian—something a little more cogent was needed to satisfy the American, but all this took time to effect. So soon as the hatchet was buried, the immigrants considered what was their next course to pursue. By inter-communication, the geography of the country had become more or less familiar; some elected to go to Monterey, others to Santa Cruz, San José had its appreciators, while one said he would settle willingly in Yerba Buena (San Francisco) were it not for the three miles of sand that lay between Mission creek and the town, which then was bounded on the south by Clay street, with very little to the north of it. Mr. Brown chose the San Antonio redwoods, where there was plenty of hard work, and there he passed the Summer of 1847, whip-sawing lumber, which he hauled to the San

Antonio creek and transported across the bay to San Francisco. During that time he unceasingly sought a tract of land on which to commence farming operations. He tells us the Californians were bound by a most solemn pledge not to sell, or even give information in regard to the lands. They said: "If we can't fight these heathens out, we can starve them; for we can keep them from a permanent settlement here." In the Fall he learned that Wm. A. Leidesdorff, a trader in San Francisco, had a ranch for sale which he had purchased from a Spaniard named Valencia. This is the Rancho Acalanes, on which he now resides at Lafayette. Mr. Brown at once entered into negotiations for its purchase, which were consummated, he at the same time buying three hundred cows that Leidesdorff had obtained from Vasquez at Half Moon Bay. He built a strong corral on the ranch, and employed an American and his *vaqueros* to bring the cattle up to it. When they arrived at the Rancho of Vasquez, the horses, as was customary, were put for safe-keeping in the corral, situated about half a mile from the house. During the night a California lion, a ferocious and formidable animal, not rare in those days, got into the inclosure, wounded some of the horses and scattered the rest so that the strangers had scarcely a sufficient number of mounts to get home with. To put an end to such mishaps he now hired Amador, who understood the ways of lions and wild cattle. Under his supervision the latter prospered, they being for the first few months corraled during the night and herded in the day-time; soon, however, they were permitted to roam at will over the hills and valleys. Their increase was wonderful, while they were good beef at any season of the year. Mr. Brown states that he found a marked difference now from his former experience in stock-raising; in the States he had to feed from six to seven months during the year.

But there was something more to look to than the raising of stock. The sailor looks to the winds and the clouds; the thoughtful landsman also looks to every surrounding with equal diligence and care. We have already said there was no government except the military authority vested in Colonel Mason, and he manifested much delicacy in using that authority. The confusion of national affairs, caused by the close contest in Congress on the slavery question—one party opposing, and the other favoring its extension—prevented any action by that Body towards a law for organizing a Territorial or State government. Generel Riley, who superceded Mason in 1848, issued a proclamation to the people to hold an election to elect delegates to a Convention. What a relief to those who had lived in the country for some time without any courts or legal tribunals and government. Hope revived in those who fully realized the condition of things.

The Convention, which consisted of thirty-seven members, convened

and organized in Monterey, September 1, 1849. The members were mostly immigrants, from almost every State in the Union, with many of the preferences and prejudices of those days. Yet sound sense prevailed. It was a great blessing to the mixed throng then in California, and to those who came soon afterwards. There were in the Convention men of sterling merits; in favor of, and against slavery. Yet, in sober council, they wisely ignored that subject, and with unity formed a State Constitution that stood the test, with only a few amendments, for over thirty years. It was adopted by a vote of the people. It provided for the election of a Governor and Members of a Legislature. San José was selected as the seat of government, and Peter H. Burnett was elected Governor.

The Legislature met, and the Senate and Assembly organized, and went to work on the Herculean task before them. The State was divided into counties; the judges and other officers to be provided for, with the duties prescribed to each. A full code of civil and criminal laws had to be framed, and that without much aid from books or references. The whole fabric of government had to be framed. The minority were the workers in both houses, and, for new hands, the task was well done.

A new State was framed and organized, but it was not classed among the other States, for the Government of the nation had refused to aid or act in the matter. It was a gracious boon to California, and a great relief to the sober-thinking people, for the gold mines were attracting thousands of adventurers of all colors and nationalities.

Mr. Brown was a member of the Convention that framed the State Constitution, and also of the first two Legislatures after its adoption. What he lacked in ability and knowledge he made up in industry and economy. In 1852 he was strongly urged to run for the Senate; but as all was safe, he declined the offer, preferring his former occupation of improving new farms, leaving politics, not principles, to those who enjoyed such things. He has often attended mass meetings, but was never a delegate to a political convention. He was always free to speak his mind, and allowed the same privilege. He says: "Amid all the various surroundings and positions through life I have never struck or been struck; never run for or from man or boy. I have had but few lawsuits or contentions. I have never bet a cent on a race or cards, and never dealt in stocks. I was never intoxicated by liquor, although I was raised in a tavern; but I have never dealt in the article since. I have never cheated a man, knowingly, out of a dollar; but the reverse has occasionally occurred. I do not intend this as a boast, but as an acknowledgment of the blessing bestowed on me through a long life by my good and benevolent Creator."

What gratitude is due from one who has been permitted to see a vast region of country—from Wheeling, on the Ohio, to San Francisco, on the Pacific Coast—redeemed from the wilds of nature by the enterprise and arts of civilization! Mr. Brown has been one of the participators. He began early, and held out late, and, no doubt, has earned his reward.

He says: "Discouragements have seldom crossed my path. But allow me to relate one instance. While on guard, one cold, rainy night, in Santa Clara, during that memorable week of the siege, expecting every moment that the Spaniards would charge in from the north or south; and to make the surroundings more gloomy the Mission Indians were howling over a dead comrade, and as many dogs as Indians were engaged in the howling. Amid all that there came into my mind this thought: I had committed an error that had involved my children as well as myself. I had brought them from a good home and a land of safety; had left a sick son at Fort Bridger, doubting his recovery; had a son and daughter in the Mission, likely to be butchered by the Spaniards. The fate of Travis and Fanning came fresh in my mind. For half an hour or more I was a homesick man, strolling up and down the muddy streets of Santa Clara. Sound reason and resolution came to my assistance, and I became my own man again. I have been blessed with buoyant spirits and a strong will. These properties have added much to my comfort of mind and success in business. My own and the family of Nathaniel Jones were the first Americans that settled within the present bounds of Contra Costa county. There were no white families nearer than San José Mission. I settled on my present farm in 1848, and I expect to remain on it the balance of my time on earth. I was eighty-five years old on the tenth day of last June. In this narrative the reader may think that some of the smaller incidents should have been left out. I labor under the same embarrassment that the hunter did who could not shoot a duck; for when he took aim at one another would put its head in the way. I find much less difficulty in collecting than in selecting incidents."

Mr. Brown disclaims any praise over the tens of thousands who have equally participated and aided in the great work of reclaiming the vast waste of wilderness, that eighty years ago was almost entirely occupied by the native Indians and wild beasts, but now covered over with organized States, counties, cities, towns and farms, with all the comforts and conveniences of art and science that civilization confers. Being an eye-witness in the front line of a long march, the picture is plain. The work is large to those who have seen the beginning and the end of the whole extraordinary advance of settlement and civilization in America from the year 1804 to 1882.

Daniel Boone did not drive the Indians out of Kentucky alone, but was one of the foremost who aided to drive them out. So it is with all

others who have assisted in reclaiming the vast wilderness. If praise is due, it should be divided according to merit. Many of Mr. Brown's contemporaries, who saw the wilderness before them, have lain down in death's sleep, but few have been permitted to see the great work from the beginning to the present as he has seen it. No person does nor can anyone appreciate the result more than he does. "Industry and economy exalteth a nation." In America they have built up an empire in the age and before the vision of one man. How wonderful to contemplate! Yet it is truly so! Reader, you cannot wonder that he looks back over these scenes with gratitude and pleasure at the result of the enterprise. He thinks that thousands would join him in exultation if they would only stop to look at the great picture.

The Hebrew nation were forty years crossing the great desert, but these others were seven months in crossing theirs in 1846, and that too without manna. The Lord aided the Hebrews in their enterprise. Were those others not likewise aided? No human power could have carried them through that long, toilsome journey.

He says: "I was inquired of by kind friends in San José why I settled in that lonesome place; why I did not settle there in that pleasant valley among white people? The question was urgently asked by good neighbors in Missouri, when I was about to start across the plains. Again, back in Illinois, when about to leave a pleasant home for the wilds of the Platte Purchase. Again, back in Ohio, in 1846, when I went back to the place of my youthful days. I had four sisters, with families there. There, too, in the grave-yards, the white tombstones marked the resting place of father, mother and brother. There, too, with all those near and dear associations, I was urgently and earnestly entreated, as I had sold my farm in Missouri, to come and spend the remainder of my life with old friends and associates. All did not change me from my destined Western course. Again, in the most emphatic manner, was the question asked on that dreary night in the streets of Santa Clara. The answer, why, I have never found, and I believe the answer has not and never will be solved. I freely acknowledge my incapacity to solve it." Mr. Brown married, firstly, in Greene county, Illinois, January 10, 1823, Sarah Allen, a native of Tennessee, and had: Thomas A., Warren J., Lawrence M. and Margelina. Married, secondly, July 1, 1847, Mrs. Margaret Allen, by whom he has no issue. Mrs. Brown has a family by her first marriage.

HON. THOMAS A. BROWN.—Whose portrait appears in this work, was born on the 16th day of October, 1823, in Greene county, State of Illinois, is the eldest of four children of Elam Brown and his wife Sarah. During his infancy the family moved to Morgan county, Illinois, where they settled on a farm about ten miles west of Jacksonville. The family resided

there until the year 1837, when they moved to Platte county, Missouri, where they settled on a farm near the town of Weston. During the years 1842 and 1843 the subject of the settlement of the country about the mouth of the Columbia river in Oregon, and emigration to California and other places west of the Rocky mountains was beginning to be agitated, and in May, 1843, T. A. Brown joined a party of emigrants and crossed the mountains to Oregon; he arrived at the Willamette Falls late in the Fall of that year. On that journey the party suffered many annoyances and privations not common to travelers of the present day who cross the plains from the Missouri river to the Pacific Ocean. The band in 1843 started from Westport, near the western line of Missouri. After crossing the west boundary of Missouri the country was entirely uninhabited by white people to Fort Laramie; at that place, which was on the route, there were a few traders. Hence they proceeded to Fort Bridger, from there to Fort Hall, and thence to Fort Boise near the Grand Round valley on Snake river, which was an unbroken wilderness. A few trappers were at Fort Bridger, a few others at Fort Hall and a few at Fort Boise, and Dr. Whitman and some others at Walla Walla, were the only white people found on the route from the Missouri line to Fort Vancouver. There were plenty of Indians, but not generally troublesome. At that time Oregon was considered to be about as far away from other civilized society as it was possible to get. There were then a few hundred white people, generally very good people, in what is now the State of Oregon. To illustrate the condition of things then, the only regular communication with the United States was by sailing vessels or by the annual immigration. Messengers bearing news required about six months to make the trip in one direction or twelve months to get word in return. The people who went across the mountains in 1843 left Missouri in May of that year. The nominations of candidates for President and Vice-President were not made until afterwards; it was not known by them who was nominated or elected until late in the Fall of the year 1844, so that they did not learn who had been elected President until six or seven months after Mr. Polk had been inaugurated in that office. While in Oregon Mr. Brown resided the greater portion of the time at Oregon City, and was engaged chiefly in the business of surveying and as civil engineer. He surveyed a great number of claims for settlers in different parts of the territory, and also several town sites, among others that of of Portland, now the principal city in the State. The survey of that place was made about the year 1844, and while making which the workmen were compelled to live in a tent which they placed on the bank of the river, there being no house whatever at the place—none had ever been erected where the city now is. During the early part of the year 1847, Mr. Brown came to California on a visit to see his

father and family, who had crossed the plains during the Summer of the year 1846, and then resided at the mission of Santa Clara. He remained in California a few weeks; then returned to Oregon, for the purpose of closing up business, intending to return to California. While making preparations to return to this State, news of the discovery of gold at Sutter's Mills was conveyed to Oregon, and resulted in a general rush from that country to this. Our subject came by sea, and by reason of bad weather the vessel did not arrive until the commencement of the winter season in the Fall of 1848. He remained during the Winter at the mission of San José. In the Spring of the year 1849, with a party, he went into the mines where he remained but a few months, when he returned and settled at Martinez, where he has ever since resided. During the year 1849, he, his brother Warren, and brother-in-law N. B. Smith, engaged in the mercantile business which they soon abandoned. During the same year Mr. Brown was appointed Alcalde of the District by the then Governor of California. He held that office until the organization of the county government in April, 1850, when he was elected County Clerk and Recorder, and held that office until 1855, when he retired from that position and was elected Supervisor and held that office for one year.

During his term of office as Clerk he commenced the study of law and was admitted to practice as attorney and counsellor in the District Court in the year 1855. Soon after he entered into active practice. In 1860 he was licensed to practice in the Supreme Court and the several Courts of the State as attorney and counsellor-at-law. About the same time he was also admitted to practice in the United States District and Circuit Courts of this State. He continued in the practice until the first of January, 1880, when he was elected and qualified as Judge of the Superior Court, when he gave up the practice entirely. He was elected County Judge in 1856, and continued in that office until January, 1864.

At a meeting of the members of the Bar in open Court, at the Court House in Martinez, on Thursday, December 10, 1863, the following preamble and resolutions were unanimously adopted, and on motion were entered in the minutes:

"In County Court, State of California, Contra Costa county, Hon. Thomas A. Brown, presiding, December 10, 1863.

"WHEREAS, Hon. Thomas A. Brown being about to retire from the Bench, we, the members of the Bar deem it just and respectful to express and record our appreciation of the integrity and ability with which, during the last eight years, he has discharged the various duties which have devolved upon him as the Judge of this Court; therefore—

"*Resolved*, That it is the unanimous sentiment of the members of this Bar, that Hon. Thomas A. Brown, during a continuous term of eight years

in the official capacity of Judge of this Court, has earned for himself the reputation of an urbane, able and upright Judge.

"*Resolved*, That it is the unanimous request of the members of this Bar that the foregoing proceeding, preamble and resolutions be entered in the minutes of this Court."

In 1865 he was elected to the Assembly, and served during the sessions of the Legislature for 1865-6, and for the years 1867-8.

In the Session of 1865-6, Judge Brown was Chairman of the Judiciary in the Assembly, and the next Session had the Republican nomination for the United States Senate, when Eugene Casserly was elected.

In January, 1874, he was appointed County Judge to fill the vacancy caused by the death of Judge Lander. On the expiration of the term he was elected County Judge, and held that office until the first of January, 1880, when he became Judge of the Superior Court. While he held the office of County Judge, his practice as attorney was confined to business in the District Courts, the Supreme Court and the Federal Courts.

HON. WARREN BROWN.—This much respected argonaut of the State, and of Contra Costa as well, is the son of Hon. Elam Brown, whose biography will be found above, and was born in Morgan county, Illinois, June 19, 1826. On attaining the age of eleven years he was taken by his parents to Platte county, Missouri, where he received the education afforded by the common schools of the place; engaged in farming, and resided until his coming to California. At the date of which we write, gold had not yet been discovered, and California was a *terra incognita* to the Western people. All emigration was to Oregon, which, too, was considered the *Ultima Thule* of the American continent; it will then be understood by the reader how many were the consultations to take place in a family ere so arduous a journey should be undertaken. The mind of the head of the family being made up, after a long array of *pros* and *cons*, Mr. Brown, in company with his father, started from Missouri in the latter part of April, 1846, almost to tempt fate, as it were, in the little-known land which lay between the confines of American civilization on the one hand, and far-off Oregon on the other. The train having duly met at its appointed rendezvous, the honored father of our subject was appointed its Captain, and to him fell its organization and conduct. "No man can tether time nor tide," says a close observer of human nature. "The ills that flesh is heir to" will follow all, be it at one's fireside or far away on the trackless ocean or boundless prairie. Our convoy proceeded safely and with scarcely a mishap of importance, until the North Fork of the Platte river was reached, when sickness became very prevalent, among the unfortunate victims of the scourge of typhoid fever being the

subject of our narrative. What a blow was this to his father and companions may be readily imagined; still it was impossible and impolitic to delay the entire expedition; naught was therefore to be done but to place the invalid in a wagon and take to the nearest convenient station, which was Fort Bridger, where he was compelled to remain, while the train proceeded. It may be mentioned here that it was now that the command of Capt. Elam Brown took the road to California instead of that to Oregon, and thus truly what has been the loss of the latter country has been the gain of the first-named. Our duty, however, is with Mr. Warren Brown, who was left to recuperate at Fort Bridger. His recovery was slow, but thanks to youth, and a constitution inured to hardships, he at last was sufficiently restored to health to admit of his traveling; he therefore took his departure from the Fort October 12th, and continuing his journey to Oregon, arrived in Portland, December 9, 1846. Here Mr. Brown engaged in the cooper's business until September of the following year, when he proceeded to California and joined his father in the San Antonio redwoods, where he was employed in getting out lumber until June, 1848. On the discovery of gold, Mr. Brown was among the first to hie to the New Dorado to seek his fortune. After mining successfully for a short time on the American river, he came back to Contra Costa, to return, however, in the following Spring; not long after he once more came to the county and settled in Martinez, where he opened a general merchandise establishment, and continued it for two years in partnership with his brother, Hon. T. A. Brown, the present Superior Judge of Contra Costa county, and N. B. Smith. In the Fall of 1850, the subject of our memoir was elected to the office of County Surveyor—the first to fill that position—while in 1852 he was elected to the same functions, for a term of two years, which, however, he resigned in 1853, and in the Fall of 1854 was elected Member of Assembly for Contra Costa county, when he received five hundred and thirty-five votes, and served one term. He also was elected Sheriff of the county in 1869, and served until 1870–71. Mr. Brown next engaged in farming on the place now occupied by Mr. Raap, near Martinez, and, at the end of four years, purchased his present home of five hundred and fifty acres adjoining that of his father at Lafayette. Mr. Brown and his family are so well known and highly respected throughout the State, that any panegyric or sounding eulogium would be superfluous on our part; suffice it to say that in whatever walk of life our subject has traveled, he has always been found faithful to his trust and true to his purpose. He married in Martinez, Contra Costa county, October 16, 1854, Laura A. Hastings, a native of Ohio.

WM. A. BRUNKHORST.—Born in Germany, January 13, 1846, where he was educated and followed the mercantile business until 1869. In October

of the above year he emigrated to the United States, and arrived in New York, in the ship *Kosmos*, Capt. T. Wiericks, on the 26th of November, in the same year. In June, 1870, he came to California direct to Contra Costa county, locating in Antioch, where he found employment as book-keeper for Martin Homburg, and afterwards for George Thyarks. In the Fall of 1875 he bought out the business of the latter gentleman, and has since been engaged in the general merchandise trade, at the corner of Main and Front streets, Antioch.

GARDNER M. BRYANT.—Was born in Spartenburgh, South Carolina, September 15, 1831, and is the son of Alfred and Mary (Stone) Bryant. When six years of age he was taken to Western Tennessee by his parents, where he received his education and resided until 1850. In that year he emigrated to California, arriving at Hangtown (now Placerville) August 13th. Mr. Bryant at once proceeded to the mines at Rattlesnake Bar, on the south fork of the American river, and prosecuted mining until the Fall of 1852; he then began freighting between Sacramento, Marysville, Onion valley, etc., which he followed until 1853. Mr. Bryant then settled near Gilroy, Santa Clara county, where he engaged in dairying for a year, after which he moved to Contra Costa county, and first located at the head of San Pablo creek, about four miles from Lafayette. At the end of a year he went to reside in the Pleasant Hill school district. In 1864 he proceeded to Idaho Territory with a band of horses, and in September returned and took up his residence for a year at Walnut Creek. In the Fall of 1865 he removed to Tulare county, where he embarked in sheep-farming. In 1867 he came back to Contra Costa, and settled in Pacheco, whence he moved in 1873 to San José, but returned in the Fall of 1875. In 1879 he moved to Tulare county; in 1880 he went to Helena, Montana, and engaged in sheep-farming. He married, March 22, 1854, Lucy J. McClellan, a native of Jackson county, Missouri, and has: Charles A., William F., and Mary A.

WINFIELD S. BURPEE.—Born in Essex county, New York, February 4, 1851, where he received his education and resided until 1869, in which year he came to California. Soon after his arrival he began conducting the stage line between Oakland and Concord *via* Walnut Creek, at which he continued until 1872, when he embarked in his present wine and liquor business in Walnut Creek. Married December 4, 1878, Mary, daughter of Albert Sherburne, and has one child: Ruby Teresa, born December 3, 1879.

JOHN RICHARD BYER.—Was born in Alleghany county, Virginia, January 9, 1834. His mother died when he was about five years old, and he went to live with his grandmother, who resided near Natural Bridge,

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Virginia. When between seven and eight years of age, his father married a second time and with him went to live in Alleghany county. At the age of fifteen, his step-mother complained that he had not been sent to school, and, a disagreement arising, she undertook to whip him: he strongly objected to being chastised, and he shortly after made up his mind to leave home and seek some employment. This he did, and with a younger brother started westward, first staying at Fayette, where he went to work on a farm belonging to Dr. Joseph Prior, the Sheriff of Fayette county; having remained there seven months, he, with his brother, started to join an elder brother in Macoupin county, Illinois; but, to their grief and surprise, were apprised of his death from cholera a few months previously. He there lived with one Daniel Dick, paying for his board out of his earnings. During the Winter he attended school, while in the Summer time he worked on a farm. He was engaged for three Summers by Lisbe Smith, who, at the end of that time, wanted him to contract for a year's labor. This he declined, having resolved to farm on his own account and go into house-keeping with a life-partner, but on applying to the Clerk for a marriage license, was refused on account of being but twenty years of age. He then went to St. Louis, Missouri, and was there married. After the ceremony, he bought eighty acres of wild land, engaged in farming, but suffering from ill health, sold out and started for California. He was detained, however, on account of an attack of measles, and stayed at Mount Olive, Mills county, Iowa, where, liking the country so well, he rented a farm of twenty-five acres, and afterwards a larger one. Here he suffered from an attack of erysipelas, which laid him up all the Winter. In the Spring of 1863, he joined a train, comprised of twenty-six wagons, for California. Most of the people were from Macoupin county, and after a trip of three months, arrived at Elk Grove, Sacramento county, where our subject resided and afterwards in Napa. In the latter county he was employed to harvest two hundred acres, made good wages, and in the Fall rented a part of the farm, and after a lapse of two years returned home, starting from San Francisco September 20, 1866, and arriving at Chicago October 23rd. On the following day he arrived at his old home in Macoupin county, and finding the climatic change so great from that of California decided to return, and on the 7th March of the following year, left Girard for New York, *via* Cleveland. On April 1st, he arrived in Napa City and located on a farm of two hundred acres on the Big Ranch. Not meeting with success, on account of the wet Winters of 1868–9, he moved to Contra Costa county, and bought one hundred and fifty-eight acres of land near the mouth of Marsh creek, and rented a half section on the Marsh Grant, where he engaged in farming. In 1870–71, Mr. Byer met with reverses, but in 1872 had very large crops,

rented some more land and sowed more wheat. In 1875, he sold his land on the creek and bought one hundred and sixty acres on the plains, two miles northwest of Brentwood. Here he continued to farm, and, being successful, was enabled to purchase the farm now occupied by him, comprising three hundred and twenty acres, where he is at present engaged in farming and fruit-growing. We are sorry to state that Mr. Byer has not enjoyed good health since he settled on the then swamps of Illinois. It is gratifying to know that this gentleman has a great antipathy to whisky and gambling and visiting saloons; hence, independent of his ill-health, he has managed to gain for himself and family a reputation to be proud of. Mr. Byer was married in St. Louis, May 17, 1854, L. E. Boggess, a native of Illinois. By this union there are: Flora E., Allison E., Mary M., Lizzie, Georgiana and Martha. One is deceased—Louis.

JOSEPH F. CAREY.—This prominent citizen of Brentwood is a native of Amsterdam, New York, and was born September 17, 1833. When Mr. Carey was about nine years old his parents moved to Walworth county, Wisconsin, and engaged in farming. At that early settlement of Wisconsin, schools were few, consequently the chances for school privileges were limited, but in a few years some were established and Mr. Carey only received a common school education. On March 30th, in the year 1853, he started for California, in company with a younger brother (Levi M.) with ox-teams. They crossed the plains in search of gold, stopping a few days in the city of Salt Lake to recruit their teams. They left Salt Lake about the 9th of August, arriving at Mud Springs, El Dorado county, October 19th of the same year. Here he engaged in mining, and continued for a few years, after which engaged in the milling business. Was married to Mary A. Steel, Nov. 10, 1861. His wife died of consumption in less than two years from the date of marriage. In the Fall of 1862, Mr. Carey first visited the San Joaquin, and took up a piece of land under the Homestead Law. Returned to the Sacramento valley, where his wife was staying with her sister, and the following March the two sisters died. This event left Mr. Carey broken up in his calculations; he consequently abandoned the idea of settling in the San Joaquin, and went to the Washoe country, but finally settled in the San Joaquin valley, in January, 1865, and engaged in farming. In February, 1866, was married to Laura Ann Welch, a native of Illinois; has lived in the county ever since, and at this writing has five children, viz., Charles J., Clara J., Alice L., Joseph Franklin and Edna Mabel. Mr. Carey is pleasantly located at the little town of Brentwood, doing a blacksmithing and repairing business, in company with S. P. Davis—firm name, Carey & Davis.

HON. J. H. CAROTHERS, M. D.—Was born in Beaver county, Pennsylvania, September 5, 1824, and moved, in 1832, to Crawford county, Ohio, where the early part of his life was spent in clearing the forests of that then new country. He afterwards studied medicine, with Dr. A. Blymer, in Delaware, Ohio. He is a graduate of the Miami Medical College, of that State, and is considered one of the ablest physicians in this section of the country, his practice calling him on long trips about Contra Costa and the surrounding districts. He came to Martinez in 1854. In 1857 he laid out the town of Pacheco, and resided there for about fifteen years, when he moved back to Martinez, in 1874, and erected his present handsome residence, situated on an entire block, in the center of the village. Everything about his place denotes thrift, taste and care. The neat graveled walks are lined with choice flowers, and the whole place is surrounded by thrifty shade trees. Dr. Carothers is a member of the County Medical Society, and of the Medical Society of the State of California. He was elected to the Legislature in 1869–70, and took an honorable part in the business of that body, ably representing his constituents, and filling the place creditably to himself and them.

JAMES CARTER.—Was born in Brunt county, Canada West, April 3, 1842. When seventeen years of age he, with one brother, immigrated to America, and sojourned about six months in Michigan. He then returned to his home in Canada, whence he started, *via* New York and Panama, for California, arriving in San Francisco November 27, 1859. After locating in Napa county, he resided four years in Solano county, one year in Oregon, two years in Idaho Territory, and one year in Nevada Territory, when he moved to San Joaquin county, where he prosecuted farming until the year 1875. He then came to this county (bringing his family with him), and leased about thirteen hundred acres of the Robinson ranch. Mr. Carter married, in Napa City, November 17, 1870, Miss Lizzie Grilman, a native of Pennsylvania, by whom there are two children, Arlington and Noda.

PATRICIO CASTRO.—This representative of the old Spanish families of California is the son of Victor and Louisa (Martinez) Castro, and was born in Contra Costa county, March 17, 1843. He resided with his father until he reached twenty-five years of age, when he moved to his present residence, five miles south of San Pablo, where he has one hundred acres of land. Mr. Castro claims to be the oldest child now living born in Contra Costa county. He married, October 9, 1875, Harriet, daughter of John M. and Josephine (Toomey) O'Neil, of Stanislaus county, California, and has: Pacheco, born July 24, 1876; Leo Henry, born July 18, 1879; Jovita Maria, born June 11, 1881.

JOHN CAVANAGH.—The subject of this sketch was born in County Cork, Ireland, March 15, 1811, where he resided and followed farming until twenty years of age. He then, with his father, two brothers and five sisters, immigrated to Canada, where they arrived in the Spring of 1831, and engaged in farming near the town of Petersburg, there clearing three hundred acres of heavy timber land and residing thirty-one years. March 15, 1862, Mr. Cavanagh, accompanied by his wife and ten children, started for the Golden State, *via* New York and Panama, landing in San Francisco, April 17, 1862. On his arrival on this coast he went to Santa Clara county, where he dwelt until his coming to this county, which occurred in October of the same year, and purchased a place in the San Ramon valley, where he lived for four years. He then sold out, and bought his present valuable farm in Diablo valley, consisting of six hundred and sixteen acres, where he is engaged in general farming and stock raising. Mr. Cavanagh was thrice married first in Canada, January 19, 1838, to Miss Catharine Sullivan, a native of Canada; she died in September, 1843. By this union they had two children, Margaret (now deceased) and Michael. Married, secondly, in Canada, July 2, 1845, Miss Mary Callaghan, who died in San Ramon valley, this county, June 24, 1865. By this union they have eight living children; their names are: Richard, James, William, Isabella, Mary, Margaret A., John and Johanna T. (twins). Mr. Cavanagh returned to Canada on a visit to his friends in October, 1872, where he became acquainted with Rose Ann Murphy; were married in the town of Peterboro, and returned to California to his ranch in Mount Diablo valley, where he has since resided.

ROBERT H. CAVEN.—Was born in Prince Edward county, Canada, October 10, 1853. He resided in his birth-place, and was educated at the common schools and the Pictou High School, until May, 1869. He then started for California, coming *via* the Union Pacific and Central Pacific railroads, and arrived in San Francisco in May of the above year. Sojourning in the metropolis but a short time, he came to Contra Costa county, and first found employment on the Galindo Rancho, where he remained some five years. In the Fall of 1875, in company with his brother William, he purchased their present farm of one hundred and sixty acres, one mile from Concord, and is now engaged in general farming. Mr. Caven was united in marriage in San Francisco, April 2, 1879, to Miss Eva W. Greer. By this union they have one son, Robert Allen, born March 25, 1880.

JOHN G. CHASE. — Whose portrait appears in this work, was born in Hudson, New Hampshire, April 19, 1837, where he was educated and resided until nineteen years old. He then, in company

with one sister (Mrs. T. F. Davis, of Berkeley), sailed from New York on June 4, 1856, on board the steamer *Illinois* to Aspinwall; at Panama, took passage on board the good ship *John L. Stephens*, with some sixteen hundred other passengers, all bound for the golden shores of the Pacific; and, after a pleasant voyage, arrived in San Francisco July 1st of the same year. Our subject immediately proceeded to the mines of Calaveras county, where he followed mining until the Fall of 1858, when he came to Contra Costa county in company with D. Glass, of San Ramon valley, to buy stock; but on his arrival, was so well pleased with the country, he concluded to remain, and took up his residence in what has since proved to be his home for upwards of twenty-four years. February 22, 1861, Mr. Chase made his first entry into the pleasant little village in which he now resides, at that time being employed in hauling coal from the mines to Antioch. At this period there was only one house on the site where now stands the thriving town of Antioch. Mr. Chase, in 1862, 1863 and 1864, worked in the Mt. Diablo coal fields; he then engaged in the stage business from Somersville to Antioch for a short time, when he sold out, and took a prospecting tour through several counties, but again returned to this county and purchased his former stage line, in connection with which he started a livery stable. In 1867, his livery barn was burned; he then purchased the property on which his present stables stand, and has since conducted a very successful business in his chosen line. Mr. Chase also owns a valuable farm of three hundred and twenty acres in Sycamore valley. Was Deputy Sheriff during Mr. Ivory's incumbency, and was twice Constable of Township Number Five. Was united in marriage in Sycamore valley December 9, 1868, to Miss Elmira A. Johnson, by which union they have had two children—a daughter, Nettie M., and a son, J. Rudolph.

J. CHRISTENSON.—A native of Denmark, born December 10, 1834. At the age of eighteen years he immigrated to the United States. Arriving in New Orleans January, 1853, a short time after he proceeded to St. Louis, and resided in that vicinity until 1858, when he crossed the plains with ox-teams, and came direct to San Francisco. Mr. Christenson first found employment in the coffee and spice house of Charles Bernard, and after a short time, through industry and perseverence, was made manager of and conducted the business for the above firm for some eight years. Mr. Christenson then concluded to become a ranchero, and in 1867 settled on his present beautiful homestead of two hundred and fifty acres, on which he has made many and valuable improvements. Mr. Christenson has also a lease of some seven hundred acres of the Marsh Grant. The subject of this sketch was united in marriage to Miss Hannah Wallace, a native of England. Their children are—Caroline, Thomas, Hannah, Christopher, Charles, Rosie, Henry and Florence.

DANIEL CLANCY.—The subject of this sketch, whose portrait appears in this work, was born in County Limerick, Ireland, in the year 1822, where he was educated and resided until 1837. He then immigrated to the United States, first settling in Boston, where he was employed as clerk in the Custom House for nearly three years. He next moved to the State of New York, and being a mechanic worked at the trades of carpenter and joiner and ship-builder, also farming for a term. In 1859, he came to California by way of the Isthmus of Panama, and arrived in San Francisco in December, after having suffered shipwreck in the *North Star*. The ship struck on a coral reef, where she remained ten days, but all on board were landed on a desert island, where there was nothing but rocks and sage brush. In the meantime four hundred and fifty tons of coal were jetsoned. Captain Wright, of San Francisco, with fourteen sailors risked a voyage to Fortune Island, a distance of two hundred and fifty miles, to procure wreckers. On the island, which belongs to the British, are Africans employed in the manufacture of salt. On arrival at San Francisco, he started for the mines in Sierra county, California, and worked in that lucky spot called the City of Six. He then returned, and after locating in Alameda county, Mr. Clancy moved in 1860 to Contra Costa county, and purchased a farm where he now resides. It comprises two hundred and eighty-five acres. Of this gentleman, we can safely say that here we have another of those living examples of what steadiness may do. Not only is Mr. Clancy a credit to himself and family, but by his good example he is sure to work good in the community in which he resides. He married, in 1851, Mary A. Falvey, a native of New Brunswick. The names of his children living are: John H., May A., Hannah F., Thomas A., Ellen E., William A., Emma L., Norbot D., Alma E., and James M.

JOEL CLAYTON, (deceased).—This well-known gentleman was the son of John and Mary (Bater) Clayton, and was born in Bugsworth, Derbyshire, England. He there received his education, and resided until 1837, having learned the trade of a block cutter and wood carver, which he followed there. In that year he immigrated to the United States, first settling in Lowell, Massachusetts, afterwards moving to Pittsburg, Pennsylvania, where he joined his uncle, who resided in that city. Here Mr. Clayton engaged in the manufacture of oil-cloth, until 1839, when he went to St. Louis, Missouri. He was soon after joined by his father's family, and upon their arrival, moved to New Diggings, Jo Davies county, Illinois, where he embarked in lead mining. Early in 1842 he proceeded to the head-waters of the Platte river, Wisconsin, and there commenced the extracting of zinc from ore, a difficult task he prosecuted with much vigor, but owing to the want of proper appliances for the manufacture of retorts, he was ultimately compelled to abandon the industry. In 1845

he removed to Mifflin, Iowa county, Wisconsin, and was, as a matter of fact, the founder of that town. Here he resided until 1850, in which year he came to California, bringing with him a number of practical miners to work in the gold mines, as also a considerable drove of stock. He first settled in Santa Clara county, and permitted the miners who had accompanied him to start whithersoever they listed—the only recompense he asked being the return of the amount expended on their outfit. At the end of one year he moved to Stockton, and established a butchering business, which he continued until the Fall of 1853, when he located in San Francisco, took up the twenty-five acre tract now comprised within the boundaries of Broadway, Webster, Clay and Pierce streets, and started a milk ranch. At the end of a twelve-month he disposed of this business, proceeded to Bellingham Bay, Puget Sound, and became connected with the coal mines there. In 1856 he was joined by his family in this State, and with them settled at San Francisco Pass, thirty miles from Los Angeles. In 1859 or 1860, with some others, Mr. Clayton located land near the now famous Black Diamond coal mines, in Contra Costa county, and finally established his domicile at Clayton, a pretty little village to which he gave his name. He died there, March 9, 1872, justly regretted. An excellent portrait of Mr. Clayton will be found in this volume.

CHARLES J. CLAYTON.—The subject of this sketch is the son of the above Joel and Margaret (Maclay) Clayton, and was born in Wisconsin, June 10, 1850. In the Winter of 1857 his mother, one brother and sister, started, *via* New York and Panama, for this coast, his father having preceded them to the Golden State. On arriving at San Francisco, they resided there a short time, when his parents moved to Stockton, where he remained about six months. He then moved to Kern river, where he sojourned for one year, from whence he went to San Francisco, where he resided until coming to Contra Costa county. While in San Francisco, our subject attended the common schools, and at the age of eighteen took a course in the Washington grammar school of that city. On arriving in this county, Mr. Clayton first located on the land on which that thriving little village which now bears his name is situated. On the death of his father, our subject took charge of the homestead, consisting of twelve hundred acres of valuable land, adjoining the town of Clayton, and is now one of the prosperous farmers of Contra Costa. Was married, in Clayton, April 2, 1878, to Miss Lizzie Alison, a native of Benicia, California. They have two living children, and one deceased—Jeannett A. (Charles W. deceased) and Charles E.

WILSON COATS.—This old and respected pioneer of Tassajara valley, now reached the venerable age of four score years, is a native of Smith county,

Tennessee, and was born August 10, 1802. When fifteen years of age he moved with his parents to Callaway county, Missouri, and resided in that State until his coming to California. May 1, 1849, our subject started with ox-teams to cross the plains to the Golden State, arriving in Placer county September 7th of the same year, and there engaged in mining until 1851, when he paid a visit to his old home in Missouri, proceeding *via* the Isthmus of Panama. Remaining but a short time he again returned with his family to this coast, this time, as before, crossing the plains with ox-teams, and, coming direct to Contra Costa county, located on his present farm of one hundred and sixty acres, at that time being the only family resident in the now well-populated and highly cultivated Tassajara valley. Was married in Callaway county, Missouri, December 25, 1823, to Miss Mary Philipp, a native of Tennessee. She died November 27, 1875. By this union they had ten children, of which he has four sons living: Felix G., William L., John R. and Lemuel A.

FELIX G. COATS.—The subject of this sketch, whose portrait appears in the body of this history, is a native of Callaway county, Missouri; was born August 9, 1828, and resided in his birth-place until seven years of age. His parents then moved to Miller county, same State, and there abode for ten years, at the end of which time he moved to Johnson county, where our subject dwelt and attended the common schools until his removal to California. May, 1849, he, with his father, (now a resident of this county) equipped and provisioned a "Prairie Schooner," and, with ox-teams, joined a train that was then making up at Independence to cross the plains to seek their fortunes in the gold fields of this State, arriving in Grass Valley, Nevada county, after a pleasant trip of six months, in September, 1849. He immediately embarked in mining on the American river, which he followed for a short time. Mr. Coats then purchased some mules and started a pack-train from Sacramento to Stony Bar. This he continued for about three months, when he again engaged in mining, which he followed until the Fall of 1852, when he came to Contra Costa county, sojourned for a short time, then returned to the mines, and in the Spring of 1853 again came to this county and purchased his present farm of three hundred and ninety acres, where he now resides, in the Tassajara valley. Mr. Coats also owns six hundred and forty acres, three miles east of his residence. Was united in marriage, in Tassajara, February 23, 1860, to Miss Levina Doggett, a native of Arkansas. By this union they have six children—Nolen, James L., Bethel S., Ella, May, and Jennie.

JOHN CONDIE.—Born in Kirkaldy, Fifeshire, Scotland, January 1, 1827, and there resided until his coming to the United States in 1850. On arriving in New York he at once commenced working at his trade of

blacksmith, and followed it for four years, at the end of which time he proceeded to Australia, in which country he followed mining, and worked at his trade for four years more. He now took passage in the ship *What Cheer* for California, and arrived in San Francisco in September, 1858. Mr. Condie almost immediately went to the mines in Tuolumne county; afterwards he embarked in quartz mining for four years. He then proceeded to Mexico in the capacity of foreman to a mine, and there resided until 1868, when he returned to San Francisco, and finally coming to Contra Costa county, engaged for seven years in coal mining at Nortonville. In the year 1875 he purchased his present hotel property in the village of Clayton, where he has since resided. Mr. Condie also owns eighty acres of land in the vicinity of Clayton, fourteen of which are planted with vines. Married in Nortonville, to Miss Elizabeth Scolley, a native of Scotland, and has: George, Jean, John and Catharine L.

JOHN CONWAY.—The subject of this sketch was born in the south of Ireland, December 25, 1830. When but an infant his parents immigrated to America, and located on a farm in the State of New York, where Mr. Conway resided until his coming to California. February 20, 1860, our subject left his New York home and took passage on board a steamer bound for San Francisco *via* Panama, arriving in the metropolis of this coast March 11th of the same year, and immediately proceeded to the northern mines. He followed mining for one year, and then proceeded to Sacramento, where he sojourned a short time, when he moved to Contra Costa county, locating at Danville, and engaged in farming, in which he continued six years. Our subject then purchased the general merchandise store of Peter E. Peel, of San Ramon, and there carried on business for one year. In 1869 Mr. Conway bought his present store building in Danville, and moved his stock of goods from San Ramon to his present store, where he is now engaged in the general merchandise trade, and has the leading store of that town. Mr. Conway was united in marriage in New York, March 7, 1858, to Miss Nora O'Brian, a native of that State, by which union they have two children: John, Jr. and Mary Teresa.

WILLIAM W. COX.—The subject of this sketch, an old resident of Contra Costa, is a native of Rush county, Indiana, and was born August 19, 1833. When but an infant his parents moved to an adjoining county, where he spent his earliest years until 1852, when they, himself, five sisters and one brother immigrated with ox-teams to Daviess county, Missouri. Sojourning there one Winter, they continued their westward journey, leaving the above district May 2, 1853. After an uneventful trip of five months they arrived in Amador county. Staying but a few days there they proceeded on to Stockton, where they remained a short time, and after

came direct to Contra Costa county, locating on the place now owned by Mr. Cox, consisting of two hundred acres half mile north of San Ramon, where he is now engaged in general farming. Was united in marriage in San Ramon, November 20, 1865, to Miss Mary E. Grist, a native of Illinois. They have six children; there names are: Livia M., Elmer G., Jessie, Mary R., Delia and Mabel F.

JAMES CURRY.—Born in Tennessee, March 30, 1835; when but a child his parents moved to Jackson county, Missouri, where he resided for about two years. He then located in Atchison county, same State, and remained there until April 26, 1854, when he, in company with his father and mother, started with ox-teams across the plains for California. The trip occupied five months, arriving in Sacramento August 26th. He followed mining for one year, and then came to Contra Costa county, and located on land in Moraga valley, now owned by H. W. Carpentier. He resided there until the Fall of 1858, when he moved to a place in Morgan Territory, where he engaged in stock business. In 1860 he removed to Clayton, where he engaged in the butcher business for about two years, then drove stage until 1870, and purchased his present livery stable, where he now resides. Mr. Curry married in Clayton Ellen Callan, a native of London, England. By this union there are seven sons: Charles E., Henry, Samuel, Reuben, George W., James, (an infant), and daughter, Jennie.

HON. A. G. DARBY.—Was born May 8, 1808, and is a native of North Carolina; his mother died when he was four years old. In 1818, his father moved to the State of Tennessee, and died the next year. At the time of his decease he possessed moderate means, but the whole estate was absorbed in the payment of a debt for which he was security. Mr. Darby being thus left without a patrimony, had no means to obtain an education. He worked three months at three dollars per month. In 1820, he moved, with his brother-in-law, to Boone county, Missouri. Failing to find employment, in the then new country, he apprenticed himself to the hatter's trade, and afterwards became a partner in the establishment. In 1832, he was commissioned a Captain to raise a company of volunteers, to take part in the Black Hawk war. In 1838, he moved to Scotland county, Missouri, and in the difficulty with Iowa, in regard to the boundary line, he served as Quartermaster for Missouri militia, and afterwards was elected Colonel of the Seventy-Fourth Regiment of the Missouri militia. In 1852, he entered the Legislature of Missouri as a member of the House of Representatives, and was re-elected in 1854. In this body he was a vigilant and efficient member. His success as a representative was not attributed to genius, but to common sense and a tolerable knowledge of mankind. In politics he was Democratic, but in

Yours Truly
Wm. R. Cranna.

recent years politics have rested lightly upon him. In 1856, he crossed the Plains to California, and settled in Vaca valley, Solano county. He engaged in general farming until 1869, when he moved to Contra Costa county, settling on a place of three hundred and twenty acres in Lone Tree valley, six miles south of Antioch. Here he is now engaged in general farming, making grain-raising the chief business, turning his attention also to fruit, nut and forest trees, all of which grow to the fullest perfection, the almond especially taking very deep root; it matures well in the dryest seasons. Mr. Darby has found by experiment that in this locality, subject to occasional drouth, great advantage is gained by budding the peach on the almond root; the fruit is especially benefitted in dry seasons. Married in 1829, Sarah Davis, daughter of Isaac Davis, who married a daughter of Colonel Clark, who was then famous for his skill in Indian warfare in the early settlement of Kentucky.

JOHN DAVIS.—Whose portrait finds a place in this volume, was born on the island of San Martina, on the coast of Dalmatia, September 20, 1825. There he resided for the first eleven years of his life, when he took up the labors of a sailor, proceeded to Trieste, and afterwards, with an uncle, to Constantinople. From the city of Constantine he found his way to Odessa, in the Black Sea, whence he sailed down the Mediterranean to Marseilles, in France, where, taking on board a cargo of wheat, a return to the Adriatic was made. The next cruise was along the ports on the northern coast of Africa, and, touching at the island of Cyprus, loaded with wine and sailed for Trieste, whence he once more found himself in Turkey's capital; and finally loading wheat at Odessa for Liverpool. From this last port our subject visited the Cove of Cork, in the south of Ireland, whence he went to Ardrossan, Scotland; then back to the Black Sea; subsequently to Naples, Genoa, the Black Sea, Belfast, Ardrossan, and was wrecked on the Island of St. John's, when, though no one was lost, great privations were suffered for over a week. After traveling on foot to Belfast, he was sent by the Austrian Consul there to Liverpool, where Mr. Davis severed his connection with his comrades, and shipped on board a British ship bound for Rio de Janeiro. This was in 1837. He there left his ship, and, after a month, proceeded to China and Liverpool, returning to the Celestial Empire—in short, he made eight voyages in all between China and England. He then shipped in Liverpool for New Orleans, in 1838, returning to England in the Spring of 1840. He then engaged in the China trade until the discovery of gold in California, when he came to the Pacific Coast in the ship *Antelope*, arriving in San Francisco June 16, 1849. Mr. Davis almost immediately proceeded to the mines at Auburn, on the American river, Placer county, but at the end of three months forsook the pick and rocker, and established a pack-train

between Sacramento and the mines for the purpose of supplying the gold-seekers with groceries. Ill-luck now commenced to make itself felt. Our subject was stricken with mountain fever; during his illness his mules were stolen, and on final recovery, so disgusted was he, he gave a Mexican his packing fixtures, and started to the Mariposa mines, ultimately returning to Stockton and San José, the Mission Dolores and San Francisco. Between the last two points nought prevailed but a wild wilderness, through which he passed on foot, his horse having been stolen. Here he met several wagons laden with victims of cholera, which was epidemic during the summer of 1850. After remaining three months in San Francisco, he erected a house on what is now Commercial street, and opened a restaurant and lodging house, where he remained until 1851; in that year he sold out and came to his present residence in Contra Costa county, where he owns four hundred and forty-two acres of land. Married in Oakland, this being the first wedding of Westerns to take place in that city, Anna Connor, a native of Scotland, and has six surviving children, viz.: Frank, John, Geovienia, Connor, Mary, and William. Mr. Davis, and his son John, are members of the Society of California Pioneers.

SOLOMON PAUL DAVIS.—The subject of our sketch was born near Independence, Jackson county, Missouri, September 6, 1842, and when ten years of age came with his parents with an ox-team to California, arriving at Mud Springs, El Dorado county, on September 28, 1853, after a trip of five months and ten days from Kansas City. Stopping but a short time, they resumed their journey to this county, and located in the Pacheco valley, near the town of Clayton, October 17th of the same year. Young Paul was shortly afterward employed, under Captain Steingrant, to take charge of the horses belonging to the Government post at Benicia, the horses having been brought into this county and cared for at the base of Mount Diablo. Following this vocation one year, he went with his father's family to Mariposa county, where they remained until the Fall of 1857, when they returned to Contra Costa county, and engaged in farming near the town of Pacheco, and afterwards in the San Ramon valley. Here Paul became an apprentice to the blacksmith's trade with his brother-in-law, Eli Browen, the first resident of the town of Limerick. Leaving there in 1861 for White Pine, we next find him doing a flourishing business in blacksmithing in Markleeville, Alpine county. The mines at length having gone down, which were the chief support of the town, Mr. Davis moved to Silver City; but, unfortunately, contracting a cold that settled on his lungs, he left there and located at Upper Lake, in Lake county, where he regained his health, and engaged in farming, blacksmithing and stock-raising until 1867, when he was

married to Miss Louisa Jane Moore, January 14th; returned to this county, and engaged in blacksmithing near Point of Timber. But after the two successive dry seasons of 1870–71, Mr. Davis moved with his family to Mendocino county, where he purchased land in Round valley, near the Government post called Camp Wright or Round Valley Reservation, where he prospered until the restoration of part of the reservation to the public domain, when he became involved in litigation over the title of his land, which he lost through the mere technicalities of law. Abandoning his home that years of toil had built up, he came back to the county that so many times had been his refuge, and we now find him doing an extensive blacksmithing business in company with J. F. Carey, under the firm of Carey & Davis, at Brentwood. By their union, Mr. and Mrs. Davis have two children, Carrie May and William Turley.

WILLIAM A. DAVIS.—This young merchant of Somersville is a native of Schuylkill county, Pennsylvania, born April 25, 1859. When but two years and six months old, Mr. Davis' parents immigrated to California, and first settled in Calaveras county, where they resided until 1868, when they came to Nortonville, Contra Costa county, where our subject attended the common schools and received his primary education. He afterward entered the Pacific Business College, of San Francisco, and graduated from that institution in 1877. Mr. Davis then entered the employ of W. W. Dodge, of Nortonville, as salesman, where he remained for four years. In July, 1881, he moved to Somersville, and engaged, in partnership with Mr. Hughes, in the general merchandise business, in which he still continues, under the firm name of Davis and Hughes. He is unmarried.

DAVID DEAN.—Born in Tompkins county, New York, February 16, 1829, where he received his schooling, and resided until the month of November, 1852, when he started for California by way of Panama, and arrived in San Francisco, December 16th, of that year. After working on a farm for a short time, he proceeded to the mines at Green Home creek, and there remained until April, 1853. At this time he moved to the Suscol valley, Solano county, and there dwelt five years. We next find Mr. Dean in Redwood City, San Mateo county, but only remaining there about two years and a half, he visited his native place in the Empire State. Five months after, he came back to California, and went into the employ of Patrick Tormey, where he stayed two years, afterwards accompanying that gentleman to Petaluma, Sonoma county, and there farmed three years, subsequently embarking in a dairying business in Petaluma in 1868. In the Spring of 1869 he returned to Mr. Tormey, in Contra Costa county, where he became foreman, a position he held until 1879. He now rents three hundred and fifty acres, on which he resides and

farms. Married, May 8, 1867, Miss Winifred O'Neil, a native of Ireland, and has: John, Albert, David, Catharine, Mary, Winifred, William and Annie S.

JOHN DENKINGER.—The subject of this sketch is a native of Ulm, Germany, born February 2, 1830, where he attended the common schools and resided until October, 1853, when he left his home, accompanied by his sisters, for America. He first settled in Buffalo, New York, and followed different occupations for a few months. Then went west to Illinois, where he resided until his coming to this State in December, 1857, sailing from New York and coming *via* Panama, arriving in San Francisco January, 1858. In 1863 Mr. Denkinger came to Contra Costa county and purchased his present farm of three hundred and thirty acres, two and one-half miles east of Concord, it then being all wild land. Was united in marriage in San Francisco December 27, 1863, to Miss Emilie Balz, a native of Germany. By this union they have four children; their names are: Marie, George, Emilie and Friedrich.

ANDREW DIEFENBACH.—A native of Buffalo, New York, was born February 16, 1832. Was there educated at the common schools and resided until his twentieth year. In April, 1852, he sailed on board the good ship *Empire, via* Cape Horn, and after a rough passage of five months, arrived in San Francisco in August of the same year. Mr. Diefenbach immediately engaged in mining in Amador county and continued there some three years. In 1856, we find Mr. Diefenbach in Napa county, engaged in agricultural pursuits, where he resided until 1867, when he came to what has proved to be his future home, and embarked in farming on his present ranch of one hundred and sixty acres, one mile east of Brentwood. In connection with his farm, he owns a meat market in the above town. Mr. Diefenbach is in comfortable circumstances, and respected by all who know him. Married at Brentwood, in 1868, Mrs. Melvina Cunningham, and has four children and three step-children: Annie, Pearl, May and Andrew T. The step-children are: Mattie, Sadie and Edna.

FREDERICK HENRY CHRISTIAN DOHRMANN, (deceased.)—The subject of this sketch, whose portrait appears in our history, was born in the Kingdom of Hanover, March 22, 1807, where he received a liberal education, and learned the trade of miller. On December 8, 1833, he espoused Miss Johanna Sophia Kummer, a native of Gottingen, who was born September 25, 1809. Mr. Dohrmann followed the milling business in his native place, and became the owner of extensive interests, possessing at one time three different mills—flouring, saw and oil. However, he sought fresh fields for his operations, and November 23, 1853, with his

wife, first having disposed of his property, they both bade farewell to the land of their birth, and took passage to America, arriving in San Francisco June 23, 1854. After a short residence in that city, they went to Contra Costa county, for two years conducted the San Pablo Hotel, and in 1856, moved to the farm where his family now reside, comprising one hundred and ninety-seven acres, which he bought August 17, 1865, from J. M. Tewksbury, where our subject died, justly regretted, October 24, 1873. The children by the union are: Frederick, born June 6, 1834; Eliza, (now Mrs. Thalmann) born June 10, 1838; Henry, born April 29, 1840; Mary, (now Mrs. Koppitz) born March 12, 1845.

THEODORE DOWNING.—Born in Monroe county, Michigan, August 9, 1826, he there resided and was educated at the common schools until seventeen years old. At the early age of eleven years Mr. Downing was left an orphan, his father dying when he was but six, and his mother passing away when he was in his eleventh year. In 1843, he moved to St. Joseph county, same State, and there worked on a farm until his leaving for California, which occurred on March 15, 1854. He started across the plains with horse-teams, and, accompanied by his wife, after an uneventful trip of five months, arrived in Sacramento August 9, 1854. Here he engaged in buying and selling horses, until November 20th, of that year, when he came to Martinez, Contra Costa county, and engaged in the butcher business for a short time. In 1859, we find Mr. Downing in Pacheco engaged in the hotel business, which he followed for three years. July 1, 1865, he purchased his present ranch of forty-six acres, one-half mile from Concord, and is now engaged in farming. Mr. Downing was united in marriage in St. Joseph county, Michigan, December 8, 1852, to Miss Mary J. Quackenbush, a native of Montgomery county, New York. They have two children: Marcella M. (now Mrs. F. S. Childs), Sophia C. (now Mrs. F. Sanford.)

JOSHUA E. DURHAM.—This well-known and prosperous farmer of Contra Costa county, whose portrait will be found in this work, was born in Sumner county, Tennessee, December 6, 1829. Losing his mother at an early age, his father transferred his residence to Arkansas; from there, at the expiration of a year, he proceeded to Berry county, Missouri, where our subject attended school six years. He then returned to Arkansas with his father for six more years, and finally came back to his former home in Missouri, where he maintained a continuous residence until March, 1850. At this date he proceeded to Independence, and joined a Government train, proceeding to Fort Laramie as a teamster. Here he associated himself with a train of Mormons *en route* for Salt Lake City, where he passed the Winter, and in the following Spring continued his journey towards California, arriving in Georgetown, El

Dorado county, in June, 1851. In the vicinity of that place, Mr. Durham prosecuted mining until the year 1853, when he moved to the San Joaquin valley and found employment on different ranches until 1870—farming, running a stage, and, at one time, owning the ferry at the mouth of the Stanislaus river. In the last mentioned year, Mr. Durham came to Contra Costa county and purchased his present valuable property of three hundred and five acres, four and a half miles from Pacheco, situated in the Ygnacio valley, where he is now engaged in farming and stock-raising, a large portion of his attention being devoted to the breeding of thoroughbred horses, of which he has some remarkably fine specimens. Mr. Durham is also possessed of four hundred and thirty-four acres at Bay Point—all valuable, fertile land. He married, firstly, in San Francisco, October 2, 1862, Miss June E. Sherman, a native of Ohio, by whom he had seven children, viz: Burnett S., Melvina I., Fannie, Cora E., Levi B., Amelia, and John (deceased); secondly, in Pacheco, October 10, 1877, Miss Melvina E. Strickland, a native of Illinois, by whom there is no issue.

JOHN L. ECKLEY.—Was born in Boston, Massachusetts, May 17, 1827, and is the son of David and Caroline (Amory) Eckley. He resided there until 1847, and received a good education. In 1843 he was engaged in the well-known commission house of Chandler, Howard & Co., on Central Wharf, and after a period of four years, left their employ, when occupying the position of head book-keeper. In 1847 he sailed for the East Indies, and engaged in tin mining on the Peninsula of Malacca, which he continued for two years. He then returned to Boston, *via* Europe, afterward visiting the Southern and Western States. In February, 1851, our subject sailed from New York, *via* the Isthmus of Panama, for California, and arrived in San Francisco in March. He immediately proceeded to Sacramento, and was employed as real estate agent, having charge of the property of Howard, Brannan, Larkin, and others, where he remained about two years. He then returned to San Francisco, and acted as agent for Thomas O. Larkin for one year, when he again returned to New York, and engaged in a Honduras Colonization scheme. In 1859 he took a pleasure trip to China, Japan, and other countries, and once more returned to California, in the following year. He settled in San Francisco, and remained there until 1862, when he went to Victoria, British Columbia, where he engaged in the drug business, which he followed for one year, when he returned to San Francisco and went into the oil business, which he carried on for a twelvemonth. He then went to Virginia City, and there embarked in mining speculations for a short time, when he moved to Emerald Bay, Lake Tahoe, where he resided two years. In 1866 he settled in San Francisco, and from there went East, on

business; after an absence of three months he returned to California, and organized the house of James W. Burnham & Co., of San Francisco, dealers in carpets, where he was engaged until March, 1881. In 1868 he purchased his present place near Port Costa. Mr. Eckley has always taken a great interest in yachting, and was the first Vice-Commodore of the San Francisco Yacht Club, and first Commodore of the Pacific Yacht Club. He married, August 13, 1864, Sarah E. Burnham, a native of Newburyport, Essex county, Massachusetts, who was born October 16, 1836, and is the daughter of James and Lucy Burnham. By this union there are: John H., born June 19, 1865; Henry, born November 10, 1866; Frank K., born August 31, 1869, and Fannie M., born July 13, 1871.

THOMAS EDWARDS.—The subject of this sketch, whose portrait appears in this work, was born in North Wales, April 5, 1812. When fourteen years of age he left his native country, and commenced a sea-faring life, which he followed for ten years. After quitting the sea, he soon obtained the position of mate, and acted as such on several steamers engaged in the immense trade of the Mississippi. It was at this time that he formed the acquaintance of Captain Roe, afterwards the great pork-packer of St. Louis, and with whom he served five years as first mate; of W. C. Ralston, then steamboat clerk; and also of J. B. Crockett, who had but just commenced the practice of law. The friendship which began then remained firm throughout life. February 19, 1843, he married Mary Pugh, who was born in North Wales July 20, 1819. In May, 1849, he gave up his position, and left the Mississippi, with its bustling life, being attracted to the far West by the California gold excitement, towards which all eyes were turned. Having passed the Winter of '49 and '50 in Louisa county, Iowa, he, with his wife and three children, resumed their journey westward the following Spring to Council Bluffs, where a company of about forty men and ten wagons was formed, Mrs. Edwards and a friend from St. Louis being the only ladies in the party. The final march was commenced early in May, 1850, *via* Fort Hall and Lassen's Cut-off. After traveling a few hundred miles together, Mr. Edwards and family laid over for a day on the Platte river to rest the teams, thus allowing the remainder of the party to hurry on. The balance of the way across the plains was made alone. The Fourth of July, 1850, was spent on Green river. After journeying two thousand miles, California was reached in September, 1850, the first stopping place being on Mormon slough, near Stockton, where they remained three weeks. A hotel was then engaged at Green Springs, Tuolumne county, for five hundred dollars a month, but after remaining there three months the owner raised the rent, so they were obliged to move. A site was then purchased about ten miles distant, on the same road, where they kept

what was known as the Owen House. The business of stock raising was also commenced. In 1856 the place was sold, and the residence of Captain John Dent (brother-in-law to General Grant) was then bought at Knight's Ferry for the purpose of obtaining the benefit of the school advantages which that place afforded. A stock ranch was also secured. The latter part of 1863, there being great scarcity of feed, it was deemed advisable to transfer the stock beyond the Sierra Nevada, to what was known as the Owens' river country, Inyo county, in which they were the second foreign settlers. The business of butchering and furnishing the Government with meat was then commenced, and was followed up until 1865. The town of Independence was then laid out on this farm, which is the county seat. In 1867, they moved to their present home on Carquinez straits, and engaged in farming and stock raising. The farm comprises one thousand eight hundred acres. In 1881 an arrangement was entered into with Mr. Heald, by which a foundry was established on the place, and the town of Crockett laid out. The family consists of six children, viz: Hugh, John, Thomas, David, Edward and Susan.

MARK ELLIOTT.—The subject of this sketch is the son of John and Elizabeth (Berry) Elliott, and was born in Belmont county, Ohio, April 30, 1826. At a tender age he was taken by his parents to Guernsey county, in the same State. At eight he went with them to Delaware county, where he attended the common schools. At the age of eighteen he started to learn the trade of cabinet-maker, which he continued until twenty-one years old. Next he proceeded to Wyandotte for one Summer, whence he moved to Sandusky, and there resided a year. In the Fall of 1849, Mr. Elliott returned to Delaware county, and, in the following Spring, (1850,) in company with five associates, among them being Drs. Smith and Hubbell, he started with horse-teams to tempt fortune in the Land of Gold. Crossing overland to Cincinnati, they thence proceeded by boat to St. Louis, whence they found their way to Kansas City, where they once more found themselves on *terra firma*. The regular journey across the plains was now commenced, with all its concomitant inconveniences, but after an extraordinarily rapid transit the party finally arrived at Weaverville on July 26, 1850. The first occupation entered into by our subject was making rockers for use in the mines. At this he remained until the Fall, when he transferred his *locale* to the mines at Diamond Springs, and there resided until the month of February, 1851. At this juncture he moved to Benicia, Solano county, where he plied his avocation of carpenter until the Great Fire of May 4, 1851, in San Francisco, when he proceeded thither and embarked in the then fruitful labors of a cabinet-maker. Remaining in that city until January, 1852, our subject then came to Contra Costa county, and after sojourning for a short time in

Martinez, he took up his residence on Alamo creek, now known as Sycamore district, where he has since continuously resided, reclaiming, as the years go by, the wild, unbroken country, and causing it to blossom into a fair scene of prolific fields and luxurious pasturage. In 1852, when Mr. Elliott took possession of his property on the Alamo, he had but one hundred and sixty acres of land; to-day he has seven hundred and seventeen acres, almost all of it being under cultivation. In 1858, he built his present comfortable home, while, as if to add greater value to his possessions, at the time of writing, men are engaged on his property penetrating the earth, where a vein of excellent coal has been struck, which at no distant date may prove a bonanza to Mr. Elliott, and an immense boon to the section of the country in which he resides. He married in Oakland, May 15, 1864, Martha E. Dempster, a native of New York, and has two children: Lizzie E. and Mark H.

WARREN B. ENGLISH.—The subject of this sketch, whose portrait appears in this work, is the son of John M. and Anna (Martin) English, and was born in Charlestown, Jefferson county, West Virginia, May 1, 1846, where he resided, being educated at the Charlestown Academy, and was afterwards engaged in his father's store until the year 1861. Being then fifteen years of age, he joined the Confederate army and served in Company B, Twelfth Virginia cavalry, army of Northern Virginia, all through the war, and at its end returned to his birth-place, where he engaged in general merchandising until the year 1866. In December of that year he sailed from New York in the steamer *Montana, via* Panama, and arrived at San Francisco in the early part of the following month. On his arrival there, after a few weeks spent in the city, he entered the McClure Military School at Oakland, Alameda county, where he remained two years, during which time he assisted in the organization of the Oakland Cadets. On leaving the school he received the appointment as Secretary to the Silver Peak and Red Mountain Gold and Silver Mining Company, of Esmeralda county, Nevada, a position he held for eighteen months, when, at the end of the Summer of 1871, he went to Columbus, in the same county, and there carried on a business in general merchandise until November, 1872, and then returned to Oakland and was joined in wedlock. Mr. English soon afterwards went back to Esmeralda county, and engaged in the manufacture of borax, at Tiel's Marsh, for one year, when he again returned to Oakland to settle up the business of the mining company of which he was the Secretary some years previously. In October, 1875, our subject came to Contra Costa county and engaged in farming with his brother, William D., and Frederick Kapp, on the well-known Government ranch, until September, 1877, when he entered into a partnership with William D. Shaver, and carried on the lumber

business until June, 1881. About this time, Mr. English built a dredger and took a Government contract to dredge Humboldt Bay, in which he is at present engaged. In the Fall of 1878 he was elected one of the Board of Supervisors of Contra Costa county, for Township Three, which position he has the honor of holding at the present time. In Mr. English's case, success has been the test of merit. He has won fortune and position by solitary, unaided study and effort. He came to California a comparative boy, without means or experience. By patient industry, and the pursuit of an honest, straightforward course, he has battled with the disadvantages and checks of youth, poverty and inexperience, and conquered them. Few men have overcome greater obstacles—none are more worthy of achieved success. Mr. English married in Oakland December 2, 1872, Clara Norris, a native of St. Louis, Missouri, and a grand-daughter of Hon. H. S. Geyer. By this union there are four children, viz: Hattie, born October 27, 1873; Norris, born November 12, 1875; Warren B., born May 19, 1878; Hancock, born January 9, 1880

CAPTAIN ORRIS FALES.—Was born in Thomaston, Maine, March 20, 1817. He made his first trip to sea at the age of thirteen years, and continued to follow the sea in the coasting, West India and European trades for twenty-two years. He came to California, around Cape Horn, in 1850. From San Francisco he sailed to the Sandwich Islands, Manila, Hongkong, and back to California in the Winter of 1851–52. In the Summer of 1852, he bought one hundred and eleven acres of land, and built a small house. A few years ago he erected a fine house on his valuable and highly improved farm, at the *juntas* of the San Ramon and Walnut creeks. The residence is two stories, thirty by thirty-six feet, with a one-story addition fourteen by twenty-six feet. The house is finely finished in modern style, with all late improvements. Captain Fales bought several small tracts of land adjoining, as opportunity offered, until he now possesses three hundred acres on the extreme northern end of San Ramon valley (and Rancho), bounded on the north by Walnut creek and town of the same name. Most of his land is tillable, and has never failed to yield a crop during the period of his occupation.

BERNARDO FERNANDEZ.—This well-known and highly-esteemed citizen of Pinole, Contra Costa county, is a native of Portugal, born November 15, 1830. At the age of thirteen he shipped on board a vessel bound for Brazil, and afterwards followed a sea-faring life—first, before the mast, then as mate, and later as master. In the latter capacity he sailed to all the more important ports of the world. The Summer of 1850 found Mr. Fernandez in New York, where he followed coasting until 1853. In the early part of the above year he started *via* Cape Horn, in the clipper ship *Staghound*, for California, arriving in San Francisco in August

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of the same year. Being struck by the beauties, as well as the natural advantages of the Golden State, Mr. Fernandez concluded to make this coast his future home, and, after a short time spent in Monterey and Santa Cruz in seeking a desirable location, he returned to San Francisco, and in August made his advent into Contra Costa county, first locating at Pinole, where since has proved his home, and began freighting from that point to San Francisco. This he continued until 1857, when he purchased from the Government a tract of land consisting of forty-three acres, on which now stands his present store and warehouses. Also in the above year he erected his present store-room and one warehouse, but in 1862 sustained the loss of the latter by a flood, the entire building being swept away. Nothing daunted, however, and with that push and vigor which he is well known to possess, he began the erection of two large warehouses to accommodate his increasing business. In 1876, these were found inadequate to the demand, and two more were built; later, another was added to his already large facilities for storing and shipping grain. Mr. Fernandez' prosperity may be judged by his possessions. Arriving in Contra Costa county with but little of this world's goods, but with energy and strict business principles, he established a reputation on which he was enabled to successfully carry on a large trade. He has since added to his original landed possessions of forty-three acres, until now he is possessed of something over three thousand acres of Contra Costa's fertile soil. Mr. Fernandez is well and favorably known throughout the county, and especially held in high regard and estimation by those with whom his business relations bring him in contact. The subject of our memoir was united in marriage, in Pinole, December 5, 1859, with Miss Charlotte Cuadra, a native of Chili. By this union they have six children: Maria A., born April 10, 1864; Anna, born January 26, 1866; Bernardo, born November 15, 1867; Margaret E., born September 11, 1870; Manuel, born July 13, 1876; and an infant, born September 12, 1881.

HARRISON FINLEY.—Born in Callaway county, Missouri, December 26, 1837. When fifteen years of age he moved with his parents to Morgan county, and in 1853 transferred his abode to Bates county, same State, where he resided until his coming to California. May 12, 1860, he joined a company, and with a train of five wagons and ox-teams started on his weary journey to the land of the fig and vine, and, after an uneventful trip of four months, arrived in Calaveras county, August 12, 1860. After a sojourn of a short time, he moved to Amador county, and in 1863 came to Contra Costa, leased land in the Tassajara valley until October, 1875, when he purchased his present home, consisting of one thousand and eighty acres, situated at the head of the above valley, and is now engaged

in farming and stock raising. Mr. Finley was married in Amador county, April 3, 1862, to Miss Lavina J. Ray, a native of Missouri. They have eight living children; their names are: Mattie L., Matilda N., Eliza B., Wilson E., Mary F., Abbie J., Lucy R. and Livonia L.

THOMAS FLOURNOY.—Is the son of Hay B. and Mary (Brinegar) Flournoy, and was born in Estill county, Kentucky, June 24, 1824. Here he resided until he attained the age of fourteen years, when he moved with his parents to Linn county, Missouri, and dwelt until 1850. In this year he immigrated to California by way of the plains. At Big Meadows, on the Humboldt, while on the long journey to the land of future promise, he had the misfortune, on August 30, 1850, to lose his wife, whom he had married in Linn county, Missouri. Here, at this lonely place, was she consigned to Mother Earth, adding one more to the long list of brave women who had accompanied their husbands into unknown lands. Pursuing his desolate way, Mr. Flournoy arrived in California in September, 1850, and until 1855 was farming in Santa Clara county. In that year he came to Contra Costa, and settled on his present estate of four hundred and fifty acres, situated near the thriving village of Danville, where he is engaged in farming and stock raising. He married, firstly, October 21, 1847, Elizabeth Neal, a native of Kentucky, who died at Big Meadows, on the Humboldt, while crossing the plains, August 30, 1850. By this union he has one son, William H., at present a resident of Sonoma county. Married, secondly, August 31, 1854, Laurentie Kifer, by whom he has: Lillian (now Mrs. Rice), John T. (now Professor of Mathematics in the University of the Pacific), Roland F., Ada E., Laura, Dora, Shelby H. and Lucy.

ERASTUS FORD.—The subject of this sketch, an old '49-er and a pioneer of Contra Costa county, whose portrait appears in our work, was born in Berrien Centre, Berrien county, Michigan, June 10, 1830, where he resided, and at an early age started to learn the blacksmith's trade, until nineteen years of age. In the Spring of 1849, our subject proceeded to St. Joseph, Missouri, where he joined a train to cross the plains to California, to take his chances among the many that were at that time seeking their fortunes in the Golden West. He first located on Bear river, where he embarked in mining for one month. He then came to Sacramento, and there remained until 1850. In the Spring of that year he came to Martinez, Contra Costa county, and engaged at his trade of blacksmith; in July, he leased his shop, and returned to the mines, where he followed mining until the following Fall, when he came back to this county, and spent the first Winter in a camp where now is the town of Clayton. One year later he located in San Ramon valley, on one of the finest farms in the county, now the property of August Hemme, where our subject followed agricultural pursuits until 1876, when he sold

out and two years later moved to Walnut Creek, purchasing his present beautiful home, situated on a nice elevation in the western part of that rising town, and is now enjoying the comforts of a well-spent and prosperous life. Mr. Ford is one of the few who have succeeded, by industry, foresight and judicious management, in acquiring a competency. He has always been a consistent Republican, and is one of the leading men of the Republican party in Contra Costa county. His present residence is one of the handsomest in the district, and the dwelling and grounds are becoming each year more beautiful by attractive improvements. Mr. Ford's influence has always been on the side of morality, and he belongs to that class, which it can happily be stated, of late years, is rapidly increasing in numbers, through whose exertions and by whose example our State is being filled with pleasant homes, and her society permeated with a healthful and invigorating moral tone. Mr. Ford was twice married: first in Berrien Centre, Michigan, October 7, 1859, to Miss Helen M. Gilson, a native of Michigan, by which union he has one living child, Jesse C. Married, secondly, in Oakland, October 13, 1867, Miss Ellen F. Nash, a native of Canada. By this union they have six living children. Their names are: Valentine, Thomas, May, Andrew, Ada and Ella.

WILLIAM R. FORMAN.—The subject of our memoir, whose portrait appears in this work, is a native of Marion county, Missouri, born May 7, 1821, was educated at the common schools and resided there until the Spring of 1848. He then moved with his parents to Wisconsin, and there found employment in the lead mines, which occupation he followed until October, 1851. He then started to seek his fortune in the new Dorado, and came *via* the Father of Waters to New Orleans, thence *via* Panama, and arrived in San Francisco on board the old *Columbus*, December 17th of the same year. Mr. Forman immediately proceeded to the mines in Calaveras county, and there prosecuted mining for six years, with varying success, his family having joined him in his western home in 1855. In November, 1857, he moved with them, and located about eight miles east of Antioch, Contra Costa county, and engaged in farming, where he resided until the Fall of 1872, when he sold out and located in Antioch, and engaged in the butcher business for two years. Mr. Forman, then, for the next few years, became a gentleman of leisure, but eventually bought an interest in the lumber firm of Rouse, Forman & Co., in which firm he is still a member. Mr. Forman was united in marriage in Elmira, Missouri, December 26, 1843, to Miss Malinda E. Highland, a native of Kentucky, by which union they had four children, two deceased and two living: Emma L. (deceased), A. R., Kate A. and Annie (deceased).

JAMES FOSTER.—The subject of this sketch was born in Waterville, Kennebec county, Maine, October 31, 1824, where he resided and attended

the public school until fifteen years of age; he then moved with his parents to Clinton, Penobscot county, in the same State, and worked with his father at the millwright's trade until the age of twenty-one. He then went to Carmel, Penobscot county, where he followed his trade for a few years. Mr. Foster was united in marriage with Miss Nancy A. Prescott, of Dixmont, Maine, March 7, 1852. Having purchased a tract of timber land, he went into the lumber business in the town of Carmel, at which place he resided with his family until August, 1856, when, leaving his family at home, he started for California. He sailed from New York *via* Panama, arriving in San Francisco in September of the above year. Remaining in that city but a short time, he went to the San Mateo redwood forests, and there followed his trade until February, 1857. He then was engaged in building a grist mill on Bear river, near Auburn, Placer county, and, on its completion, came to Contra Costa county, in the Fall of 1857, sent East for his family (wife and two children), and located in the then thriving town of Alamo, where he opened a wheelwright shop, and followed his trade for about twelve years. He resided in Alamo until March, 1881. He was postmaster during the greater portion of the time while residing in Alamo; was elected Justice of the Peace in 1860, which office he held eight years, when he was elected County Assessor (in 1869) which office he held by successive re-elections for ten years. Having devoted a portion of his time to the study and practice of law, he was admitted to the Bar, in the Fifteenth Judicial Court, in 1872. He has at various times been appointed referee in important partition suits, for the purpose of sub-dividing Spanish grants, and allotting to the several owners the portion to which they were entitled. He was appointed sole referee for sub-dividing the lots in the town of Martinez; a task than which none more difficult and complicated was ever settled in the State. By adding new streets, and changing the width and location of many of the old ones, and by re-arranging and adding to the number of lots and blocks, his allotment to each owner was made with such satisfaction, that although there were over one hundred interested parties, his report was accepted without a single dissenting voice. Mr. Foster is considered one of the best judges of real estate in the county. In March, 1881, he sold his place at Alamo, and purchased a block of land in Walnut Creek, upon which he has erected a handsome residence, and improved it in such a manner as to make one of the most beautiful homes in the county. He is now the senior member of the firm of Foster & Stow, real estate agents and conveyancers. His family has consisted of three children—James Everett, who died April 21, 1864, at the age of four years; Florence, who died November 14, 1872, at the age of twenty years; and Fred. Lewis, who is at present one of the proprietors, and junior associate editor of the *Contra Costa Gazette*.

JOHN A. FRASER.—Was born in Pictou county, Nova Scotia, June 22, 1849, where he received his education and resided until 1867, being engaged in farming, railroading and occupations of a like nature. In the last mentioned year he immigrated to California, and after serving his apprenticeship with his brother in Martinez, came to Pinole and entered into partnership with Edward Hagen in the blacksmith's shop there. In 1875, this connection was severed, and our subject became associated with John W. Boyd, with whom the business is now carried on. Married, August 7, 1875, Anna R. Rollen, a native of England, by whom he has three children, John A., born July 13, 1876; George W., born February 6, 1878; Mabel L., born July 11, 1880.

ROBERT R. FULLER.—A native of Cambridge, Massachusetts, born December 13, 1818. Mr. Fuller's early life was spent in that State and Vermont, residing in the latter some twelve years. In 1832, he located in Lynn, Massachusetts, there learned the trade of shoemaker, which he followed until 1846; he then moved to Philadelphia and resided four years. In the Spring of 1850, the tide of immigration set toward the gold mines of this State. Mr. Fuller sailed from Philadelphia on board the bark *Delia Chapin*, and, coming around the Horn, after a passage of six months, arrived in San Francisco November 26th of the same year. Mr. Fuller first engaged in mining for about two years, and, in February, 1853, concluding to embark in agricultural pursuits, therefore selected Contra Costa as his future home, and in the above year located on his present ranch of one hundred and sixty acres, adjoining the town limits of Antioch, and commenced general farming. Was united in marriage, in Lynn, Massachusetts, to Miss Sarah A. Pierce, a native of that city; by this union they have four living children, Eugene L., Ida, now Mrs. Knight, Robert H., and George W.

FERDINAND GAMBS.—Born in Germany, near Frankfort on the Main, August 24, 1838; he resided in his native country and attended the common schools until sixteen years of age. In 1854, accompanied by his father, sailed from Havre de Grace for America, first landing in New York City, where he found employment in a wholesale dry goods house as salesman, which position he held for three years. We next find Mr. Gambs in New Orleans, where he resided until the breaking out of the rebellion, when he moved to Washington City and there engaged in business and remained until 1868. His next move was to Virginia, where he married and engaged in business, but being dissatisfied with the country, he concluded to try the Golden State, and selling out his stock of goods he proceeded to New York, and there embarking on board a steamer *via* Panama, arrived in San Francisco in November, 1869. On

his arrival he came direct to his brother living in Pacheco, and engaged with him for a short time in the general dry goods trade. In 1871 he located in Somersville and engaged in the mercantile business, and there resided until 1878. He then went to San Francisco and sojourned until March, 1880, when he located in Walnut Creek, and about June 1st, opened his present dry goods house, under the firm name of Morgan & Gambs. Was united in marriage in Virginia, August 9, 1868, to Miss Julia Terrill, a native of the above State. They have five living children, as follows: Ferdinand, Julia, Eliza, Henry and August.

JOHN GAMBS.—A native of Germany; born near Frankfort on the Main, December 24, 1827. Was there educated at the high schools, and resided until nineteen years of age. In February, 1847, he started for the New World, landed in New York in April of the same year, and first found employment on a farm in Duchess county, at seven dollars per month, but only stayed one season. In December, 1848, he started for California, working his passage on board the steamer *Oregon*, and, after a trip of four months round the Horn, arrived in San Francisco April 1, 1849. Mr. Gambs first engaged in mining, for a short time, and then opened a hotel in San Francisco, which he conducted until he was burned out, May 5, 1851. He then went to Mariposa county, and engaged in the stock business, which he followed until 1861. His next move was to Pacheco, Contra Costa county, which has proved to be his permanent home, where he entered into the business in which he is still engaged, being proprietor of the leading mercantile house of Pacheco, and enjoying life in his fine residence, surrounded by thirty acres of vineyard and orchard. Mr. Gambs was married, in Pacheco, to Miss Helen Ohl, a native of Germany. Their children are: Louisa, John C., Helen, Harriet and Elise.

E. A. GARRIDO.—The subject of this sketch was born near Walnut Creek, Contra Costa county, March 5, 1854, and is a descendant of one of the oldest families of this county. Mr. Garrido began his education in the district schools of Township Number Two, and afterwards entered the preparatory department of the State University. In December, 1869, he started in business, in company with John M. Wilson, in Walnut Creek, in which he continued until 1880, when he branched out and opened a general merchandise store, in connection with which he filled the position of deputy postmaster. In April, 1882, our subject moved to Martinez, where he is, at this writing, engaged in the liquor business. Mr. Garrido was united in marriage, in Walnut Creek, November 20, 1880, to Miss Lena T. Geary, a native of this county. They have one daughter, Lyda, born July 31, 1881.

ALONZO L. GARTLEY.—Is the son of George W. and Rebecca (Beresford) Gartley, and was born in Shelby county, Ohio, July 1, 1840, where he received a common school education, and afterwards learned the trade of blacksmith. In May, 1861, then being twenty-one years of age, young Gartley answered to his country's call, and enlisted in Company D, Eleventh Ohio Infantry Volunteers for three months. At the expiration of this term, he re-enlisted for three years, and served faithfully, being with his regiment all through, and taking part in some of the most desperate battles of the war, the marks of which he honorably bears to this day, having been twice wounded, first at Antietam and again at Mission Ridge. Serving until the expiration of his enlistment, our subject received his discharge at Camp Dennison, Ohio, June, 1864, and immediately returned to his home at Sydney, in the above State, and sojourned a short time; then paying a brief visit to his relatives in Pennsylvania, he started for the Golden State, sailing from New York September 5, 1864, on board the good ship *Golden Gate*, to Aspinwall, and on the Pacific side on board the *Sierra Nevada*, arriving in San Francisco October 5th of the same year. Coming direct to Martinez, Contra Costa county, he first found employment on a ranch, where he remained for two months, but being full of patriotism and love for his country, Mr. Gartley enlisted in Company D, Eighth Regiment, California Infantry Volunteers, December 24, 1864, for three years, or during the war; but after ten months service the war was declared at an end, and our subject was again honorably discharged, October 24, 1865. He once more returned to this county, where he followed several different occupations until 1872, when he entered into co-partnership with S. Newberger, and is now engaged in the general merchandise trade on Ferry street, under the firm name of Newberger & Gartley. The subject of our memoir was united in marriage, in Martinez February 6, 1876, with Miss Florence B. Standish, a native of Columbus, Ohio. By this union they have three living children: Grace R., Alonzo, Jr., and Zoe.

JAMES GAY, (deceased).—The subject of this sketch, whose portrait appears in this work, was born in Edinburgh, Scotland, October 12, 1828. When nine years of age he took to a sea-faring life, and followed it until his coming to California in April, 1849, when he arrived in San Francisco and entered the employ of the Pacific Mail Steamship Company, and in it remained until his coming to Contra Costa county in 1857. He first located on the place now owned by his widow, one mile northeast of Clayton, where he carried on general farming up to the time of his death, which occurred October 3, 1879. Mr. Gay was married in Clayton, May 5, 1871, to Mary Kirkwood, a native of Scotland, by whom there are four children, viz: Nicholas, now adopted by his uncle, Nicholas

Kirkwood; Jennie M., Margaret A. and Mary E. At the time of his demise the following obituary notice of Mr. Gay appeared in the *Contra Costa Gazette.*

"It is our painful duty to recognize the hand of Providence in calling suddenly from our midst, by death, one of our most esteemed citizens—Mr. James Gay. On Friday, October 3, 1879, Mr. Gay was at home with his family, and enjoying, as was his habit, the society of his wife and four children, of whom any and every husband and father might be proud. At noon he ate a hearty dinner, and kissed his family before going to a neighbor's with a load of grapes, but when nearly a half mile from home he received a stroke of apoplexy, and while in the act of securing himself and team, some kind friends chanced to meet him and rendered timely assistance. His uncle, Nicholas Kirkwood, and family, were soon at his side, when he was carried home, where every possible assistance was rendered him; but when the physician arrived death was evidently near, and in two hours from the stroke he was dead, having been unconscious from nearly the first. The sudden death of the deceased has given a shock to this community not soon to be forgotten. The last man thought to be so near the gates of death—reminding us all that 'in the midst of life we are in death.'

"The funeral services took place at the late residence of the deceased, on Sunday, October 5, 1879. There was a large concourse of people, who came to sympathize, and show the appreciation in which the deceased was held.

"The deceased was born in Edinburgh, Scotland, October 11, 1829. He came to California in 1849, and the last twenty-two years of his life have been spent in Contra Costa county, on his farm near Clayton, where, by his industry and integrity, he has made many warm friends, and by whose death the community has lost a citizen and neighbor whose place may never be filled. But where the blow falls heaviest, there is a loss we can never describe. A kind husband and an affectionate father can only be fully valued by those who have one, and to lose one is a loss keenest felt where the blow falls heaviest. We commend the widow and her children to the same Spirit who has taken the husband and father from them to rest in peace, that when they, too, shall leave the shores of Time, there may be a happy reunion. The Lord has kindly provided a Christian uncle, who feels deeply and enters with deep sympathy into the feelings and wants of the bereaved family. May the grace of God sustain them all."

LAWRENCE GEARY.—Was born in Baden, Germany, December 5, 1827, there receiving a common school education and residing until he immigrated, in March, 1848, to the United States. He first arrived in New York, where he sojourned for a few days, then proceeded west to Philadelphia, and there found employment on a farm near that city, remaining there some six months; he next moved to St. Louis, and thence south to

New Orleans, where he found employment on a sugar plantation. In the latter part of April, 1849, Mr. Geary again went west to Fort Leavenworth, and there resided some two years. In April, 1852, he, in company with three others, started across the plains for the Land of Gold, and, arriving at Hangtown, August 26, 1852, there followed mining. In the Fall of that year he came to Contra Costa county, and engaged in farming in different localities, until the Fall of 1878, when he purchased his present ranch, located six miles south of Martinez, consisting of four hundred acres, and is now engaged in general farming. Mr. Geary was married in Contra Costa county, November 25, 1858, to Miss Jane Wallace, a native of Missouri. They have five living children, Charles W., Thomas, Frederick, Lawrence, Hattie, and Franklin, (deceased).

ANDREW GEHRINGER.—Whose portrait appears in this work, was born in Wurtemburg, Germany, June 12, 1823, where he resided and learned the trade of line maker until the age of twenty-one years. He then sailed from Bremen for the United States, arrived in New York in July, 1843, and first found employment on a farm a short distance from the city. Here he remained until 1846, when he enlisted in Company H., First Volunteer Infantry Regiment of the United States army. In September of that year, his regiment was sent round Cape Horn, on board the *Susan Drew*, and, after a passage of seven months, arrived in San Francisco April, 1847; his corps being assigned to the Presidio, he there remained until his discharge. Mr. Gehringer then engaged in mining, and afterward, in 1851, moved to Santa Clara county, where he embarked in farming, and resided for twelve years; but owing to a defective title, he lost his valuable ranch of three hundred acres. In the Fall of 1863, he moved to Contra Costa county and bought his present estate of seven hundred acres, two miles east of Concord, and is now engaged in general farming and stock raising. Mr. Gehringer was married, in San José, to Mrs. Henrietta Bollmann; by this union they have two children, Conrad A., and Lena Christianna.

COLONEL W. W. GIFT, (deceased.)—This distinguished gentleman, whose portrait appears in this work, was born in Marlborough district, South Carolina, October 24, 1796. In or about the year 1809, he moved with his parents to Tennessee, where he resided about forty years. As a boy he was engaged in mercantile pursuits for some time, after which he married and embarked in agricultural operations. In the year 1818, or thereabouts, he commenced running boats from Nashville, Tennessee, to New Orleans, an occupation he followed, with which he combined farming, until 1849. In the Spring of that year he left Memphis, Tennessee, for the Golden State, and arrived in

San Francisco in the month of August. When the first Legislature of California met at San José, in December, 1849, Col. Gift was Sergeant-at-Arms of the House of Assembly; afterwards, in 1851-52, and part of '53, he held the office of Collector of Foreign Miner's Taxes. In 1853, he was appointed from Washington to the functions of Register of the Land Office of California, a position he filled for eight years; we next find him a Custom House Inspector on board the steamers plying between San Francisco and Panama, and subsequently holding a responsible position in the Custom House on shore for five years—a long list of responsible and arduous duties which his well-known integrity eminently fitted him for. In 1854, he purchased property near Martinez, and maintained a residence there until 1858. The Colonel was for thirty years or more one of the most conspicuous and best known personages in the State. He was a man of ardent temperament, strong feelings, warm attachments, and kind human impulses, though sometimes, in former years, given to domineering manifestations of spirit and speech towards those opposed to him in opinion. He was, nevertheless, always recognized as a man of honest sentiments and generous spirit, that would forbid his doing a premeditated wrong to any fellow creature, and one ready to make prompt reparation for wrong unconsciously done, or committed under misapprehension. Colonel Gift had a remarkable memory, a fund of information relating to public men and events of his own times, and a happy faculty of narrating occurrences with which he was familiar, that enabled him always to interest any circle of auditors. He was a devoted admirer and intimate friend of Andrew Jackson, who was always his *beau ideal* of official dignity, integrity, determination and personal excellence. Like his eminent friend and patriot statesman, Colonel Gift, nothwithstanding his ardent Southern feelings and personal sympathy, was a devoted Unionist, and we all remember here, with what eloquent emphasis, when the secession policy was taking shape in the resolutions of Southern Legislative bodies in 1860, he cited, as a precedent for President Lincoln, Jackson's course and force proclamation for suppressing Calhoun's threatened Nullification insurrection in 1832. Colonel Gift was a successful breeder of blood horses, an animal he fondly loved, and during the years that elapsed between that in which he ran his first race in Nashville, Tennessee, until he ran "Twilight," in California, sixty-two years intervened. He owned many horses during his residence in this State, was much attached to the sport, and was the soul of honor. His instructions to jockeys were typical of his uprightness: "You must ride a fair race—you can be a gentleman on horseback as well as in Congress; General Jackson and Henry Clay ran horses, and they never threw a race in their lives." He died at the residence of his son, W. A. J. Gift, in Martinez, April 17, 1881. He was married, in the year 1819, to

THOMAS EDWARDS.

Elizabeth Dodson, a native of North Carolina, who died at Memphis, Tennessee, in 1873. By this union, there was a family of eight children, viz: John H., born April 24, 1820; Catherine E., born October 20, 1821; W. A. J., born October 12, 1823; Maria, born March 20, 1825; Sarah Jane, born March 1, 1827; Edward D., born March, 1830; G. W., born March 1, 1833; Rachael J., born April 20, 1835.

W. A. J. GIFT.—This well-known citizen of Contra Costa county is the son of the above Col. W. W. Gift, and was born in Tennessee, October 12, 1823, where he received his education and resided until 1855. On the 14th November of that year he left his home, and, proceeding to join his father, arrived in California December 15th. Coming at once to Contra Costa county, he commenced farming on the ranch of his father, where he continued until he took up his residence in Martinez, where he now resides. Few men have a better record than Mr. Gift. He has evidently taken his father's honesty as his guide, and fully realizes the words of the People's Poet, Bobbie Burns:—

"A King can mak' a belted Knight,
A Marquis, Duke and a' that,
But an honest man 's aboon his might,
Gude faith, he maun 'na fa' that.

Mr. Gift married September 21, 1848, in Tennessee, Mary Jeter, and has a family surviving of six daughters and one son.

DAVID GLASS.—This old pioneer of Contra Costa county, who has resided within its limits since the year 1850, and has seen its progress from infancy to fruition, is a native of Washington county, Pennsylvania, where he was born March 4, 1818. When a child he was taken by his parents to Harrison county, Ohio. There Mr. Glass passed his boyhood, and received his education at the public schools. From there he went westward in the year 1841, and located on the ground where now stands the young city of Ottumwa, Wapello county, Iowa. He constructed the first house of that now thriving town, and in 1844 was married to Eliza J. Hall. In the month of March, 1850, accompanied by his wife and family, he started for California, arriving at Placerville—then known by the ominous name of Hangtown—August 1st of that year. After a short term of merchandising there, Mr. Glass came direct to Contra Costa county, where he arrived in November, 1850, and first settled about half a mile from the village of Walnut Creek, on land now owned by Mr. Biggs, afterwards moving on to what is now the Hammitt place, and residing there nine years. He then purchased his present valuable estate of seven hundred and eighteen acres, located three miles south of the village of San Ramon, where he has built an elegant mansion, in which he resides,

surrounded by all the comforts of a happy home, and a large family, consisting at present of seven children, Mr. Glass having lost two while living at Placerville. Those living are as follows: Albert W., Clara, Annetta, Irena, Frank L., Frederick and Rolla C.

AMOS M. GRAVES.—The subject of this sketch is a native of Monroe county, New York, where he was born April 10, 1841. July 8, 1862, at his country's call, Mr. Graves enlisted in Company G, One Hundred and Eighth New York Volunteer Infantry, and served his full time of three years. He now bears a memento of his service in the loss of one of his index fingers. On his return home, he started with his mother *via* the Isthmus of Panama for the Pacific States, and arrived in San Francisco October 22, 1865. His father having preceded him to California, the subject of our memoir first found employment on the river steamers as engineer, which he followed some five years, at the end of which time, he joined his mother, after the death of his father, on his ranch of one hundred and sixty acres, two miles east of Antioch, where he is now engaged in general farming, and respected by all who know him. Mr. Graves was married in Martinez, October 23, 1876, to Miss Elizabeth Comrie, a native of Scotland. By this union they have one daughter.

MARTIN L. GRAY.—The son of Joseph F. and Maria (Cunningham) Gray, was born in Sedgwick, Hancock county, Maine, April 28, 1839, where he resided for the first thirteen years of his life. At this period he was engaged coasting in Summer, and in Winter attending school. At fourteen, engaged in the Grand Bank cod fishery in Summer, and attending school again in Winter. Sailed out of Castine, Maine, for three consecutive Summers. After arriving home in the Fall of 1855, from a voyage of five months, commenced teaching school in November, and taught until April. He then shipped on board of the schooner *Carrie A. Pitman*, of Marblehead, Massachusetts, Captain Henry Turner, Master, of Bucksport, Maine, for Grand Banks. He made one trip with Captain Turner, and on his return to Marblehead was given a recommendation to the owner, Henry F. Pitman, to have charge of the vessel. He was Master of her seven Summers, each Winter teaching school. During the Winter of 1863 and 1864, he made up his mind to come to California. On May 20, 1864, in Bangor, Maine, he was married to Mary A. Emerson, a school-mate of his; and June 20th they both started for California from New York upon the steamer *Northern Light*, to Aspinwall, from Panama to San Francisco upon the *Constitution*, arriving there July 24, 1864; stopped at the International Hotel two days, and obtained employment of Fred Larkin upon a farm in the vicinity of the town of Sonoma, but at the end of a month returned to San Francisco. On August 20th, he came to Contra

Costa county, and for three years and a half worked on the farm of A. H. Houston. He was then one year in the employ of Sylvanus Hough; for another twelve months he was engaged with Elam Brown at Lafayette, from whom on November 1, 1869, he rented twelve hundred and fifty acres of land and started a dairying business, which he has since continuously followed. July 11, 1871, his wife died, by whom there were born two children—Maria L., and Lyndon E. October, 1872, in San Francisco, married Lucy O. Emerson, who died July 20, 1873, by whom was born one child, who died July 29, 1873. May 20, 1874, Lyndon E.; also Maria L., September 13, 1874, died. He is at present occupying three hundred and twenty acres of the above-named farm, and conducting a dairy of forty cows. Mr. Gray owns twelve acres of land in Vernon Park, near Temescal, and also several lots in the Bay View Homestead in Alameda county.

MUNSON GREGORY.—Whose portrait will be found in the accompanying work, was born in Delaware county, Ohio, June 25, 1828, where he was educated, and resided until 1850. In that year he essayed the arduous undertaking of crossing the plains by way of Salt Lake City, to the Land of Gold. Arriving in the City of the Saints in July, he there remained until the following November, when he took up the line of march, and having proceeded by the southern route, arrived in Los Angeles in the month of January, 1851. After a short time passed in the City of the Angels, he journeyed to the gold fields near Placerville, where he was joined by his brother, Platt Gregory, whence they found their way into Sierra county, and there dwelt until 1857. At this period, Mr. Gregory visited his birth-place in Ohio, and in the Spring of the next year was married. It should be mentioned that our subject visited Contra Costa county during the year 1855, and purchased in 1857, a valuable farm, beautifully situated near the base of Mount Diablo, comprising four hundred and forty-one acres. Hither, after his marriage he came in 1858, with his bride, *via* Panama, and here have they since resided, the original property having been so augmented that it now consists of nine hundred and fifty acres of the finest land in the fertile Ygnacio valley. Here Mr. Gregory has surrounded himself with every comfort necessary to a rural life, while it is a satisfaction to know that he enjoys the confidence and esteem of all the residents of the county of which he is a worthy citizen. We may not omit to mention that Mr. Gregory has collected a valuable assortment of geological specimens, all the fruits of Contra Costa county, which are carefully named and classified while the fossil specimens in his collection—from the Brobdignag oyster of seven inches by twelve inches, to the perfect impression of the oak leaf—are most complete and valuable. Married in Delaware county,

Ohio, February 1, 1858, Miss Laura Knox, a native of that State, and has surviving: Fannie E., Herbert M., and Warren C.

ERASMUS D. GRIGSBY.—A native of Missouri, born October 2, 1841. In the Spring of 1852, then being but eleven years old, he started with his parents, two brothers and two sisters, to cross the plains to the Golden State, and after an uneventful trip of six months, arrived in Napa valley, locating on the place now owned by his father, Terrel L. Grigsby, one of the best known men of Napa county. He lived with his parents on their farm until October, 1864, when he married, came to this county in 1868, leased land on the Marsh Grant, also leased land in Stanislaus county for four years, carrying on the two farms, and in 1876 purchased his present valuable farm of three hundred and twenty acres, four miles north of Point of Timber. He subsequently purchased one hundred and sixty acres more land and is now engaged in general farming. Married in Napa county, October 28, 1864, Miss Elmira Miller, a native of Illinois. By this union they have four children—two sons and two daughters: Laura S., Warren M., Lillie J., and Byron L.

LOUIS GRUNAUER.—The pioneer merchant of Brentwood, a native of Prussia, was born October 6, 1854. When eleven years of age he attended school in Hamburg for three years. He then, at fourteen years, emigrated to America, first locating in New York for one month. Now he sailed *via* Panama for the Pacific Coast, and arrived in San Francisco in November, 1868. His first move was to Amador county, where he clerked for one year. He next spent eight years in the same capacity in San Joaquin. Mr. Grunauer then engaged in business for himself in Alameda county, where he resided for one year, and in September, 1878, came to Contra Costa, to what is now the town of Brentwood, built his present large store and hotel, opened the first business house of that thriving town, and in 1880, received the appointment of postmaster of Brentwood.

FREDERICK L. HAMBURG.—The subject of this sketch is a native of Hesse Cassel, Germany, born March 5, 1824, and there attended school until fifteen years of age, when he was apprenticed to the trade of harness-maker for four years. He followed that business until twenty-one years of age. He then enlisted in the army for three years, and in the Fall of 1850 emigrated to the United States, first locating in New York city, where he followed his trade and resided until his coming to this State. In June, 1853, he sailed, *via* the Nicaragua route, for California, and arrived in San Francisco in July of the same year. He then went to the mines of El Dorado and Calaveras counties, where he followed mining until 1858, when he came to Contra Costa county, locating in Alamo, where he found employment at his trade. Remaining but a

short time, he again returned to the mines; and in 1860 came back to Contra Costa and to Alamo, when he bought his former employer's harness establishment, engaged in business for himself, and there continued until the Spring of 1876. He then sold out, and with his family paid a visit to his old home in Germany. There they sojourned about two years, and again returned to California, remaining in San Francisco about one year. In May, 1879, we once more find him in this county, having purchased his present farm in Alamo of one hundred and sixteen acres, which he has leased, but still retains his residence, and is now living on the fruits of a well spent and prosperous life. Married in Alamo June 21, 1863, Miss Maria Korman, a native of Germany. They have two children—August and Frederick L. Jr.

HON. GEORGE W. HAMMETT.—The subject of this sketch is a native of Kentucky, and was born in Mason county, November 10, 1822. When he was six years of age, his parents moved to Portsmouth, Ohio, and there resided until 1832, when they proceeded further west, locating in Taswell county, Illinois, where our subject was employed at the wool-carding business until 1844. He then went to Wisconsin, and remained in that State until April 1, 1853. Afterwards, with his wife and three children, with ox-teams, he started to cross the plains to the Golden State, and after an uneventful trip, arrived in Contra Costa county in October, 1853, first locating on the place where he now resides at Lafayette, which he at that time purchased, but owing to a defective title has since lost, but is now residing on the same as renter. In Wisconsin, Mr. Hammett held several important offices, at one time, in 1851, being elected to the Legislature of that State, serving for two years. Mr. Hammett was united in marriage in Lafayette county, Wisconsin, March 25, 1846, to Miss Mary J. Gorham, a native of Illinois, by which union they have three children, viz: Frank, George W. Jr., and Laura E.

HON. AUSTIN WESLEY HAMMITT.—Was born in Columbiana county, Ohio, April 27, 1824, and is the son of Benjamin and Margaret (Masten) Hammitt, and resided there until he attained the age of nine; then his father's family moved to Northfield, in Portage county, residing there five years, and then to Circleville, Pickaway county; at the age of twenty our subject and a younger brother went to Wapello county, Iowa, and soon after his father with his family followed. He resided there until 1846, when he went to Ottumwa, in the same county, where he worked at the carpenter's trade until 1847. He next proceeded to Louisville, where he followed the same occupation for two months, after which he was engaged as carpenter by the Government in the Quartermaster's Department, and thence to Brazos Island, Texas, and to the mouth of the Rio Grande.

After an absence of fifteen months he returned to Ottumwa. On April 20, 1849, he started with ox-teams across the Plains for California, passing up the North side of the Platte river, up the Sweetwater, through South Platte, across Greene river and on to Fort Hall, and entered the State through the Lassen road. Mr. Hammitt arrived at Sacramento, October 13th, the day of the election for law and order against the gamblers, and he voted for the former. On arrival there, he went to the mines and followed mining on the South Fork of the Middle river, and at Birdsville opened a store, which he carried on for some months. He then proceeded to Nevada city, and commenced mining on the Coyote diggings in April, 1850, remaining till December, when he went to San Francisco, and on January 1, 1851, passed through the Golden Gate on his way home to Iowa. He arrived at Ottumwa February 25th, of that year, and in the latter part of April he again started across the plains for Oregon, this time accompanied by his wife and younger brother. On reaching Elk Horn river they found it so swollen that all the ferries had been taken off, so they proceeded up the stream a distance of about fifteen miles and built a boat and went across. On reaching the other side, Mr. Hammitt was made Captain of the train. Continuing their trip they came to a bridge, where they found that some Pawnee Indians had taken possession of it and were charging toll. Mr. Hammitt asked to see the chief of the tribe and told him he was not prepared to pay toll. The chief replied that they could cross if he would give him a bag of sugar, but to his surprise when they started over the bridge each one wanted a bag of sugar. He called on his men and told them to be ready to make an attack if necessary. They, however, went across without any difficulty. Continuing the journey, they arrived in Lane county, Oregon, eight miles from Eugene City, where our subject obtained a half section of land from the Government, and erected the first Court House in that county. He was engaged in the carpentering business there until April, 1857. On June 15, 1857, he arrived in Contra Costa county and settled near Walnut Creek. In 1858, he purchased the "old David Glass place," about two miles from Walnut Creek, and resided there until the Fall of 1881. He then went to San Francisco, and after a period of nine months returned to Walnut Creek, where he engaged in mercantile business and which he is now prosecuting. Mr. Hammitt served a term in the Assembly in 1873–74, for the county of Contra Costa, being elected on an independent ticket. He also served as Justice of the Peace from 1865 to 1867. Married April 10, 1849, Samantha Shaffer, daughter of Jacob and Elizabeth (Heddinger) Shaffer. Mrs. Hammitt was born in Harrison county, Ohio, June 28, 1827. The children by this union are Millard, Samantha Malicia, Wesley H., and John C.

HIRAM P. HARDY.—The subject of this sketch is a native of Goffstown, New Hampshire, and was born February 18, 1825. When but an infant his parents moved to Woburn, Massachusetts, where he resided until 1832. Then after a residence of eighteen months in Woodstock, Vermont, they moved to Andover, Massachusetts, where our subject was educated at the academy of that place, and afterwards served seven years in the study of horticulture, in which accomplishment he became proficient, as a glance at his present beautiful place near Martinez will convince anyone. September 16, 1849, Mr. Hardy, in company with several others, purchased a vessel—the *Cordova*—and sailed from Boston *via* Cape Horn, for the Golden State, arriving in San Francisco April 9, 1850. Selling his interest in the vessel, he proceeded to the mines of Calaveras county, where he engaged in mining, which occupation he continued for two and one-half years. He then returned to San Francisco, and after a short time entered the employ of the Pacific Mail Steamship Company, in which he continued until June, 1853, when he came to Contra Costa county, and first found employment on the ranch of Dr. John Strentzel, afterwards working for several parties until January 7, 1864, when he leased the well-known Bush ranch, near Martinez, which he farmed until December, 1880, when he purchased his present beautiful home, consisting of twelve acres of ground, where he is now engaged in viticulture and fruit raising. Was married in San Francisco, May 7, 1863, to Miss Ellen Cannon, of New York.

JOEL HARLAN, (deceased.)—The subject of this memoir, of whom an excellent portrait will be found in the body of this work, was the son of George and Elizabeth (Duncan) Harlan, and was born in Wayne county, Indiana, September 27, 1828, where he resided until seventeen years of age. He then, with his parents, moved west, locating in St. Joseph, Missouri; and in the following Spring, 1846, they continued their westward journey across the then little known plains to California, the route taken being that known to the pioneers of that, and the present time, as the Hastings cut-off. It will thus be seen that Mr. Harlan was one of the actual pioneers of this State, having arrived here one year prior to the discovery of gold, and was living in San Francisco when the famous discovery was made. An uncle of our subject, Mr. Weimar, was engaged in the mill enterprise with John W. Marshall when the latter made the discovery of the precious metal. After a short time spent in San Francisco, Mr. Harlan, with his father and mother, two sisters and a younger brother, named Elisha, moved to San José Mission, locating and building there a house which afterwards proved to be a landmark defining the line between Alameda and Contra Costa counties. During his first year's residence there our subject was called upon to mourn the death of his mother. When the first Legislature met and provided for a

county organization, his dwelling fell within the territorial limits of Contra Costa county, as then established. Like nearly every one else in the "days of gold," Mr. Harlan took a turn at the mines; on the return from which, death claimed his aged grandmother, who now lies buried beneath the present State Capitol at Sacramento. On April 7, 1849, he was united in marriage, in the town of Sonoma, by Ex-Governor Boggs, to Miss Minerva Fowler, a native of Bellevue, Illinois, and the daughter of William and Catherine (Speed) Fowler. He next located in Napa city, for a short time, then moved to Sacramento, where he sojourned a few months, and thence moved to San Francisco, where their eldest child, Elisha, was born. In the same year he transferred his abode to San José, and at the end of a twelve-month, became the first settler in what is now the flourishing town of San Lorenzo. In the year 1852, he purchased a tract of land and erected a dwelling in Amador valley, and when the county of Alameda was created, mainly from the original territory of Contra Costa county, one of the points defining the boundary line between the counties was the "house of Joel Harlan." Mr. Harlan, however, always considered his home *on this side* of the line and in Contra Costa county. In 1856 he purchased upwards of two thousand acres of the Norris Tract, and two years later built the present dwelling in which his widow and children now reside. Mr. Harlan was an upright and genial man, greatly respected and much beloved, not only by his own family and relatives, but by the citizens of the county in which he lived. On Sunday, March 28, 1875, after a prosperous and well-spent life, Mr. Harlan passed away to his Maker. In regard to his demise, the Danville Grange, Patrons of Husbandry, of which he was an honored member, at their meeting held April 10, 1875, adopted the following memorial resolutions:

"WHEREAS, It has pleased the Divine Master to remove from our midst, our Beloved Brother, Joel Harlan: *Resolved*, That, in the death of Brother Harlan, we have lost an esteemed member of our Order; the community a worthy and upright citizen, and his family a devoted husband and father. *Resolved*, that we extend to his bereaved family our sincere and heartfelt sympathy in this, their sad hour of affliction. *Resolved*, as a mark of respect, that we wear the usual badge of mourning for thirty days, and that a copy of these resolutions be sent to his family, the *Contra Costa Gazette*, and the *Pacific Rural Press*." His family consisted of the following members: Elisha, Annae (now deceased), Laura M., Mary, Horace, Helena, Henry, Fred and Addie.

CAPT. ALFRED B. HARRISON.—A native of Devonshire, England. At the age of eleven years his parents placed him in a naval school, near London, where he remained for three years, and was then bound apprentice on board a merchant vessel. After five years of thorough drill in all a sailor's duties, he became mate of a bark, and two years after rose

to the position of master. In this capacity he continued for twenty-five years, being almost constantly afloat, and visiting all parts of the world in his various voyages. Becoming weary at length of a sea-faring life, he determined to marry and make for himself a home in one of our Western States. Minnesota was his first choice, but finding the Winters there rather severe, he concluded to seek a more temperate climate and selected the Golden State as his future home, coming to San Francisco in October, 1872. In June, 1877, he removed his family to their present residence, near the thriving town of Walnut Creek. After an adventurous life on the briny wave, he is thus snugly anchored in a secluded haven in the heart of one of the most beautiful valleys of California—the valley of San Ramon—the fairest spot in the county of Contra Costa.

GEORGE W. HAWXHURST.—This early and respected resident of Contra Costa county, whose portrait appears in this work, to whom belongs the honor of being among the first to discover and develop the Mount Diablo Coal Mines, is a native of New York City, born December 30, 1827. He there resided and learned the trade of machinist and engineer, which he followed until May 4, 1850. When he heard of the gold discoveries in California, he concluded, with many others, to seek his fortunes in the new Dorado. Consequently, on the above date, he sailed from New York for Panama. On his arrival at the latter place he, with a party of six, went to Buena Ventura, South America, then about two hundred miles inland to the city of Novita, where they prospected for gold, but not finding it in paying quantities, he remained only a short time, coming back to Panama and shipping on the steamer *Panama,* in the Engineer's department, for California and Oregon. After making the round trip, he landed in San Francisco in the Fall of 1850. He left the latter place for Wood's creek, in Tuolumne county, and engaged in mining; from there he went to Fresno county, still engaged in mining; he next went to the North Fork of the Merced and mined there for a short time; he then went across the main river, and was within twenty miles of the beautiful Yosemite valley—the highest bluffs of perpendicular rocks of which could be distinctly seen. From there he returned to Tuolumne, where he was employed in putting up the machinery in several large mills in that county until the Winter of 1853. Our subject again returned to San Francisco and put up the machinery for H. B. Tichenor, and ways that raised the first square-rigged vessel on the Pacific Coast. After this, he was engaged in working at his trade as engineer for the Pacific Mail Company until 1855. At the expiration of this time, he came to Contra Costa county. In 1860, coal had been discovered by Francis Somers in the range of hills where the town of Somersville is now located. Mr. Somers and Mr. Hawxhurst

prospected in other locations. The first was what is now known as the Black Diamond claim, and the next the Cumberland claim. They found the croppings of coal in both places. They then went to what is now known as the Central mine to prospect. While working there, Mr. Norton located the Black Diamond claim, which has been opened and successfully worked up to the present time. Mr. Hawxhurst then located the Union mine. He took S. B. Whipple, of San Mateo, as partner, and worked said claim successfully until December, 1876. Mr. Hawxhurst and J. C. Rouse then bought and opened the Empire mine. After shipping considerable coal, he sold the same to Messrs. Judson & Belshaw, its present owners. He then leased a piece of coal land belonging to the Pittsburg Company, which he is working at the present time. Mr. Hawxhurst was married in San Francisco, April 13, 1865, to Miss Lucie V. La Porte, who is a native of Dixon, Illinois. By this union they have five living children, named as follows: Theodosia, Josephine, George H., Leonard and Ernest.

JOAQUIN HERNANDEZ.—Born in San José, July 3, 1839, and afterwards lived on the family ranch near Los Gatos, Santa Clara county. In the year 1855, his father sold the family estate to James Alexander Forbes for twenty thousand dollars, and moved to Lower California, our subject returning at the end of two years, leaving his relatives there. He now came direct to Contra Costa county, and after following different occupations until April, 1859, he came to Concord and opened the first business in the village, there being then but two or three other houses. Married in Santa Clara, November 11, 1877, Custodia Avila, a native of California, and has three children: Frederico, Joaquin and Rosa.

EDWIN WEED HILLER.—Born in Nantucket, Massachusetts, June 7, 1828. He resided there until December, 1843, when he learned the carpenter's trade. In February, 1846, he went to Watertown, Middlesex county, same State, where he was engaged at his trade for two years. He then removed to Milford, Hillsborough county, New Hampshire, but remained there only a short time—for, on hearing of the Gold excitement in California, he returned to his native place, and after ten days there sailed in the ship *Aurora* on January 9, 1849, for this coast. The passage around the Horn occupied six months, arriving at San Francisco July 1st. On landing he followed his trade for six weeks, and then started for Morgan's Bar, on the Tuolumne river, and there embarked in mining, which he followed until December, 1852. He then returned to San Francisco, and from there came to Contra Costa county, first locating at San Pablo, where he remained one year, at the expiration of which he moved to Martinez, where he has since resided. Mr. Hiller is a member of the Pioneer's Association, and has been Coroner and Public Administrator since

B. F. Beebe

1872, and Deputy Assessor since 1874. In 1859 our subject purchased his present beautiful place, on which he built a residence, on the west side of Martinez on what is known as Island Hill. He married May 30, 1858, Mary C. Burdett, a native of Nantucket, Massachusetts, by whom there was one child, now deceased.

BENJAMIN HODGES.—This old and respected pioneer of Contra Costa county is a native of Greene county, Illinois, and was born March 22, 1825, residing in his birth place on a farm until he was fourteen years of age. His parents then moved to La Fayette county, Wisconsin, where the subject of this sketch dwelt until March, 1852. Leaving his native State on the above date, accompanied by his father, mother and three brothers, they started to cross the plains to the Land of Gold, beyond the Rockies, being fitted out with ox-teams. After a weary trip of six months, and the sad death of a sister and a brother-in-law from cholera, which was very fatal to the emigrants of that year, they came direct to Contra Costa county, and at that early date located on the place now owned by his brother Samuel. In the Fall of 1857, he bought his present farm, consisting of two hundred and ninety-three acres, two miles from Walnut Creek, and is now engaged in general farming, honored and respected by all his neighbors. Mr. Hodges was united in marriage in La Fayette county, Wisconsin, in 1851, to Miss Emily Seeley, a native of Illinois. They have two living children: Ellen and Minnie, now Mrs. Henry T. Jones.

JAMES HOEY.—This well known business man of Martinez is a native of County Louth, Ireland, and was born in March, 1854. At the age of sixteen years he emigrated to the United States, and on landing in New York, was joined by his brother Mathew, the two then coming together to California by rail, arriving in San Francisco May 24, 1870. Our subject came direct to Martinez, Contra Costa county, and went into his uncle's store, in the same place now occupied by himself. Here he was employed five years, and on March 13, 1875, bought out the business of his relative, and is now conducting the store on his own account, wherein he first embarked on arrival in the county. It is not by mere luck, however, that Mr. Hoey has attained this position. It has been by uprightness in his dealings, honesty with his customers, integrity in his actions, and a strict resolution in all undertakings. By these means has he advanced his interests and gathered around the goods of this life that he hath. He married in Martinez, November 9, 1880, Mary Tormey, a native of Ireland, and has one daughter—Mary Ann.

FERDINAND HOFFMAN.—A native of Prussia, born in the Province of the Rhine April 12, 1827. When twenty years of age, being then subject to draft in the army of his native land, Mr. Hoffman concluded to

escape such service, and consequently emigrated to America, arriving in New York in the Summer of 1847. Here he sojourned some six months, and then moved westward to St. Louis, where he found employment at his trade of shoemaker, that he had learned in Prussia, and there resided until 1850. He then joined a train bound for California, crossed the plains, and arrived in Georgetown August 3d of the above year. He there followed mining for a short period, then moved to San Francisco, where he engaged in the boot and shoe trade, and prosecuted this until his coming to Contra Costa in 1858. He first located in Martinez, engaged with his brother in the tannery business, and there remained for three years, when he sold out his interest, and with his brother Christian purchased an interest in a quartz mill in El Dorado county, which, proving unsuccessful, they moved to the Iron House District in this county and engaged in the sheep business. In the Fall of 1861, he, with his brother, located on his present beautiful ranch of nine hundred and sixty acres one mile from Byron, all now being in a high state of cultivation. Married in Martinez, January 20, 1870, Miss Eliza Notting, a native of Prussia. By this union they have three living children—Walter, Emily and Byron.

WILLIAM HOFFMAN.—Was born near Cologne, Prussia, June 21, 1821, and resided in his birth place until March 5, 1847; then being twenty-six years old, he started to seek his fortune in the New World, and therefore emigrated to the United States, first locating in St. Louis, where he found employment at his trade, that of tanner, which he had learned in Prussia. In the Spring of 1849, he started from St. Louis to New Orleans, where he took passage on board the old *Potomac,* came around the Horn, and after an unusually long passage of eight months, arrived in San Francisco January 5, 1850. Having spent a few days in the metropolis and Sacramento, he came to Contra Costa county, and, in 1855, bought his present place of eighty-two acres on the border of the town limits of Martinez; a place he has since changed from the habitation of Indians, snakes and poison oak to one of the most pleasant homes to be found in Contra Costa. Here, in 1855, he built the first and only tannery in this county, and has prosecuted that business ever since.

BEVERLY R. HOLLIDAY.—Was born in Warren county, Kentucky, December 22, 1823. When but two years of age he was taken by his parents to White Hall, Greene county, Illinois, and there resided until 1832, when they removed to Morgan county, in the same State, where our subject received his education in the common schools, learned the trade of wool carder (at which he worked until 1840), and dwelt until coming to the Pacific Coast. Was engaged in teaching from 1840 to 1849, in Scott county, Illinois. In March, 1849, Mr. Holliday joined a

company bound for the Land of Gold, and traveling, with ox-teams, by the Old Emigrant Route, arrived at Johnson's ranch, Placer county, October 1st, of the same year. Thence he proceeded to the mines on the American river, where, however, he remained only a short time. We next find him engaged in getting out lumber, in the San Antonio redwoods—lumber being, at that time, worth four hundred and fifty dollars per thousand lineal feet. In January, 1850, he came to Martinez, where he was employed, at seventy-five dollars per month, to take charge of the school at that place—it being the first seminary opened in Contra Costa county, with an average attendance of six pupils, which increased in six months to twenty-six pupils. Here Mr. Holliday continued "to teach the young idea how to shoot" until the Fall of 1850. In December, 1850, he opened a dry-goods and grocery store—firm name, Hunsaker & Co.—and continued in that business three years, during which time he also acted as Deputy Treasurer of the County, under Judge D. Hunsaker. In 1850 he was also elected Justice of the Peace, an office he filled until 1854, and was chosen one of the Associate Justices of the Court of Sessions, which was abolished in 1855. Our subject now turned his attention to farming, and first located on the property now owned by Mr. Blum, near the farm of N. B. Smith, where he resided until 1867, and then moved into Franklin cañon, one mile from Martinez, and located on public land, where he resided until 1875, when he purchased his present place of sixty-four acres, three miles from Martinez, where he is now engaged chiefly in fruit culture. He married, in Lafayette, August 19, 1855, Jane A. Holliday, a native of Pennsylvania, and has six surviving children—Mary J. (now Mrs. Thomas Scott), Charles H., William B., Minerva L., Eliza E., George Edwin.

BARNES HOLLOWAY.—This old and respected citizen of Contra Costa county was born in Blount county, Tennessee, March 9, 1811, and there resided until his twelfth year, when he was taken by his parents to the adjoining county, where they settled and our subject received his education and resided until 1835. In that year he moved with his parents to Missouri, where he engaged in farming, in Cass county, for about fourteen years. In the memorable year of 1849, Mr. Holloway—among the many at that time being attracted to the New Dorado — on April 25th, accompanied by his wife and family, commenced the arduous journey across the plains to California, where they arrived October 9, 1849. He engaged in hauling wood until the Spring of 1850, at Sutter's Fort, and then removed to Santa Clara county, locating where now stands the little town of Mountain View Station. Here Mr. Holloway, in company with Revs. C. Yager and Wesley Gallimore, and Edward Dale, rented land from Mariano Castro, although each farmed on his own account. On

February 15, 1855, he moved to Contra Costa county, purchased seventy acres of land seven miles southeast of Martinez, where he has since dwelt, engaged chiefly in grape growing and general farming. Being a man of sterling merits, Mr. Holloway is respected by all who know him. He married, in Cass county, Missouri, February 30, 1836, Jane A. McLellan, a native of Tennessee, and has two children—Amanda M. (now Mrs. Tucker) and Helen M.

WILLIAM HOOK, (deceased).—William and Elijah were twin brothers and were born in Salem, Botetourt county, Virginia, on February 14, (St. Valentine's day) 1805. Their father died when they were quite young, and in 1819, when the boys were fourteen, they moved with the family to Old Franklin, Howard county, Missouri, where they engaged in building houses, etc. The forts built by the Government for the protection of the settlers against the Indians were being abandoned. The brothers were engaged in the building business until the year 1827. There were expeditions fitted out in Missouri, for trading in Santa Fé. They purchased a quantity of dry goods, bought and loaded their wagons, and joined an expedition under the command of Capt. Whetmore, for Santa Fé. This was called a venture. The expedition proceeded without any unusual occurrence until the night before their arrival at Santa Fé, when they met some Mexicans bringing their families out from the city. On inquiry, they learned that there was to be a massacre on the following day, which took place and many were killed, among them Governor Bent, father-in-law of Kit Carson. Finding themselves unable to dispose of their goods in Santa Fé, Elijah took the wagons and glassware to Chihuahua, where he sold them. William hired mules, packed the rest of the goods on them and carried them over the mountains into Sonora, where Elijah joined him at Opesara. They visited the principal towns in Sonora, sold what goods they could and returned with the rest to Santa Fé, where they left them with a merchant. Learning that the Indians were troublesome on the route home, they went to Matamoras, where the brothers parted, Elijah taking passage in a vessel bound for Philadelphia. He had about fifty thousand dollars with him, which he put in the safe, no one but the Captain knowing that he had any money. After they had been at sea for some days, a sailor, who pretended insanity, came up to Elijah, while he was standing on the quarter-deck, looking over the side of the vessel, and saying, "I shall not live to see Philadelphia," picked Elijah up and tossed him overboard. The vessel was going about six knots an hour, and Elijah, being a good swimmer, kept up with the vessel. The passengers suspecting foul play, threatened the Captain that if he did not save him they would throw him into the water. Boxes, chicken-coops and other articles were thrown overboard to try to save

him, and just as he was sinking the last time, he caught a rope with a death-grip, and was pulled on board completely exhausted. A part of the fifty thousand dollars intrusted to Elijah's care belonged to a merchant of Sonora, and was to be paid to a merchant of Philadelphia, named Mr. Rockhill.

On Elijah's arrival at Philadelphia he sought out this gentleman, who was one of the wealthiest merchants of that city, and paid him the money. Mr. Rockhill invited Elijah to dine with him, and made many inquiries concerning the Mexican country. The result of the interview was that the brothers, with Mr. Rockhill, chartered a brig and loaded her with goods for Guaymas. Elijah went overland to Guaymas, sold the goods, and returned to Missouri. When William parted from Elijah at Matamoras, he purchased a drove of mules in company with a man named N——, and started for Missouri through Texas. On the way he was taken sick and fell from his horse, and was taken to an Irish settlement in the northern part of Texas, where he was kindly cared for. When he had sufficiently recovered, he went on with his mules until he reached the mouth of the Red river; there he sold them, and arrived in Missouri, ill in health, after a three months' journey. After being engaged in merchandising for several years, the brothers went into the steamboat business, and purchased a vessel called the *Globe*, and made a trip to New Orleans. The cholera broke out on her after she returned to St. Louis, and all her crew died except the two brothers, both of whom escaped. They sold the *Globe*, and returned to Franklin, Howard county, where they built a new boat called the *Far West*. On the second trip, while returning from New Orleans, Elijah was taken sick with the yellow fever and died when about thirty miles from St. Louis, during the last days of August, 1835. His remains were taken to St. Louis and there buried. William sold the *Far West*, and went to Saline county. There he engaged in merchandising, and also built a flour mill, which was destroyed by fire. In this year, 1835, he married Miss Miranda Brown.

In 1847 he went to Arrow Rock to reside; remained there until 1850, then started with his wife and family across the plains, arriving at Placerville about September 1, 1850—just before California was declared a State. His daughter Emma was born the 15th of October, 1850. She was the first white child born in Placerville. Remained in that place until the following Spring, selling goods, building "Long Toms" and other mining machines, and then went to Sacramento. After a few unsuccessful attempts at business in Sacramento, went with his family to San Francisco and built some houses. Learning that the Capitol was to be at Vallejo, and being advised by some influential persons to move there, he rented his houses in San Francisco and went to Vallejo. Not being successful in this enterprise, he went with his family to Martinez

in 1853, and there engaged in merchandising, owning one of the pioneer stores in that place. In 1854, he bought his first piece of land in Contra Costa county, to which he added by purchases in 1855 and 1856. Mr. and Mrs. Hook were much interested in education, and sent their sons and daughters to the best institutions of learning in the State. They had twelve children, six of whom are now living. Their daughters Mary, Amanda and Ada, went to the Young Ladies' Seminary at Benicia, where they graduated, the eldest being one of the first class of graduates in the State. The oldest son, Elijah, graduated from the Santa Clara College; the next two sons, Henry and John, graduated from Mr. Flat's College at Benicia; two others, James and Vincent, graduated from the State University, one in the Engineering, and the other from the Agricultural Department; the youngest son, Dr. Walter E., graduated in the State Medical College and also from Bellevue. William Hook always had great faith in the purchase of land, as the best investment for money, saying that it could neither burn up nor run away, and has added to his purchases, from time to time, until he is in possession of between two and three thousand acres, a part of which he has lately divided among his children.

Since the above was handed to us by Mr. Hook, the Fell Reaper has claimed him; he died, at his residence near Pacheco, July 24, 1882. On the 29th, at the meeting of Martinez Lodge, No. 41, F. and A. M., the following resolutions in respect to his memory were passed:

"WHEREAS, It has pleased Almighty God, in the dispensation of His providence, to remove from our midst our brother, William Hook, who has been a member of our Masonic Order for more than a quarter of a century, and after long suffering and a tedious and trying affliction, has at last been called to rest from his labors:

"*Resolved,* That in the death of our brother we are again admonished of the uncertainties of life, and that we, too, are mortal, and must also soon go to 'that bourne from whence no traveler returns.'

"*Resolved,* That in his death our Order has lost a genial and worthy brother, and his family a devoted husband and father, and the community a worthy, enterprising and useful citizen.

"*Resolved,* That we heartily sympathize with the widow of our deceased brother and his children in this their great bereavement.

"*Resolved,* That as a mark of respect to the memory of our deceased brother, this Lodge be draped in mourning for thirty days, and that these resolutions be spread upon the records of this Lodge, and a copy be furnished to the widow of our deceased brother by the Secretary of this Lodge.

"L. C. WITTENMYER,
"THOS. A. BROWN,
"JOS. P. JONES,
} Committee."

E. F. HOUGH, M. D.—Was born in Genesee county, New York, October 30, 1823. When six years of age he was taken by his parents to Chautauqua county, in the same State, but at the end of two years moved with them to Cleveland, Ohio, our subject the meanwhile attending the common schools in New York and Cleveland. He afterwards attended college in Berea, Ohio, whence he graduated in 1839. On receiving his degree the Doctor proceeded to Wisconsin and Illinois, and for four years conducted a hotel in Chicago, where, too, he graduated in medicine under Doctor Delamuter, of Cleveland, Ohio, a noted physician of that place, his earlier studies in pharmacy, however, being under the supervision of an uncle in Cleveland. Determining to try his fortune in the Land of Gold, we find Dr. Hough starting for Waukegan, Illinois, on April 6, 1849, with a train of eight wagons, accompanied by his wife and family, a sister and sister-in-law, and a brother. The journey across the plains was the usual one of pleasures and pains, and finally after a trip of five months and eight days, they arrived at Sacramento, August 8, 1852. Here Doctor Hough established himself in the practice of his profession, but at the end of six months he abandoned the Sacramento field, and betook himself to the Sonora mines, in Tuolumne county, where he practiced for about eighteen months. From there the Doctor established himself in San Francisco, where he resided until coming to Contra Costa county in October, 1853. He then settled in the beautiful Ygnacio valley, and was, if not the first, one of the earliest settlers in that district. In his solitude he suffered considerable animosity at the hands of the native Californians, who were inimical, in many instances, to the presence of Americans; on finding out, however, that he was a healer of the sick and wounded, their conduct changed, and that popularity which has never since waned was then established. In the Ygnacio valley he opened a store and house of entertainment, which he parted with in 1855, when he moved to Martinez and erected the hostelry known as Hough's Hotel, and conducted it for a quarter of a century, until he leased it in June, 1880, still owning the block of buildings, however. After thirty-one years of hotel-keeping the Doctor has now retired from an active participation in business affairs, and has full time to give to other congenial tastes, chief among them being the perfecting of a patent on car trucks. Married in Lorain county, Ohio, October 12, 1842, Miss Sybel Marsh, a descendant of Asa Marsh, one of the pioneers of Madina county, Ohio, and has two surviving children, Jane E., (now Mrs. Bennett), and William J. The Doctor is possessed of one of the finest cabinet collection of gems, as he is also the first discoverer of mineral paints in California. A notice of this will be found on page 134 of this work.

CHARLES E. HOWARD.—Was born at Wareham, Plymouth county, Massachusetts, November 12, 1826. He was engaged in mercantile pursuits

until he left for California. He sailed from Mattapoisett, Plymouth county, Massachusetts, April 19, 1849, and arrived in September of the same year. He then proceeded to the mines and returned to San Francisco in 1853, when he engaged in business there for three years. In 1856, he acquired a farm, and is at present following that vocation. Mr. Howard married, August 19, 1857, Susan M. Homan, a native of Boston, who was born in 1832. By this union there are Ann L., born in 1858; P. B., born in 1860; and Ida G., born in 1862.

NATHANIEL S. HOWARD.—Born in Wareham, Plymouth county, Massachusetts, January 19, 1819, and is the son of Nathaniel and Mary (Briggs) Howard. Here he was educated at the common schools and resided until attaining his seventeenth year, save the period between ten years and sixteen years of age, which Mr. Howard served on board ship. At the age first mentioned he proceeded to Fairhaven, Bristol county, where he served an apprenticeship to the carpenter's trade, and followed it until 1849. On August 1st, of that year, our subject formed one of a company to purchase the ship *Florida*, at a cost of forty thousand dollars, with cargo. In this vessel Mr. Howard sailed around the Horn to San Francisco, where he arrived January 1, 1850. Soon after disposing of the cargo at a handsome sum—one hundred thousand dollars—Mr. Howard proceeded to the mines on Merced river, where he commenced the search for gold in Solomon's gulch. At the close of a twelve-month he returned to San Francisco, commenced working at his calling of a carpenter, and so continued until 1856. In September of that year he removed to Contra Costa county, acquired his present farm of one hundred and sixty acres, and has since resided there, with the exception of one year, 1864, which he spent in Austin, Nevada, during the silver-mine excitement of that place. Married May 30, 1844, Elizabeth S. Hitch, a native of Fairhaven, who died June 22, 1876; by this union there are: Lizzie A. (now Mrs. Smith), Millie S., and Kate F.

M. B. IVORY.—The subject of this sketch was born in Erie county, Pennsylvania, November 30, 1831, and resided in his birth-place until attaining his majority. At the age of twenty-one years he went West to seek his fortune in the pine forests of Wisconsin, and embarked in the lumber business for five years, at the end of which he returned to his native home. On September 20, 1858, he started for California, *via* New York and Panama, and arrived in San Francisco October 16th of the same year. Remaining a short time in the metropolis, Mr. Ivory came to this county, which has since proved his home, located in Green valley, on part of the place now known as the "Cook Ranch," and resided there until 1871. In the Fall of that year he was elected to the position of Sheriff of Contra Costa county, and took his office in March, 1872; was re-elected to the

same office in 1874, filling it with credit to himself and satisfaction to his constituents. In 1873 he sold his farm in Green valley, and at the expiration of his term as Sheriff, in 1876, paid a visit to his old home at the East, consuming some four months in the same. On his return to this coast he located in San Francisco for a short time, when, in November, 1878, Mr. Ivory was appointed, by the Clay Street Bank of San Francisco, superintendent of their present ranch of over thirteen thousand acres, better known as the "Marsh Grant." He resides in the historic "Stone House" on the above ranch, while it is safe to say there are but few men in this county better known or more highly respected than the subject of our memoir. He was married in San Francisco December 15, 1874, to Mrs. Fillmore, a native of Massachusetts.

DAVID JACOB.—Born in France, June 4, 1836, where he resided until twenty years of age, when he emigrated to the United States, landing in New York. There he remained one year, after which he went to Brazil, where he stayed five years, and then returned to New York. After staying a short time there he went to Mexico, and resided there until the Fall of 1866; then came to California, and located in San Francisco; remained there six years; spent three years in Spanish Town, San Mateo county, and in February, 1876, moved to Contra Costa county, and settled in San Pablo. There he purchased the general merchandise store of A. Cerf which business he now carries on. In 1880 our subject was appointed postmaster of San Pablo, a position he still holds. Married in San Francisco, October 24, 1876, Jeanne Boris, a native of France. There are three daughters by the marriage, namely: Ellen, Irma and Blanche.

OLIVER F. JAMES.—This worthy subject and old pioneer of Contra Costa county was born in Nantucket, Massachusetts, February 12, 1821, where he attended the public schools until fourteen years old. At that age he went to sea, and followed a seafaring life for ten years, most of the time on board of whaling vessels, having made two voyages on one of those craft of three years and a half each. On his return he engaged in the coasting trade until the Fall of 1849, when he shipped on board a vessel bound for California *via* Cape Horn, and arrived in San Francisco in April, 1850. After a short stay in the above city he came to Martinez—which has proved to be his permanent home—and here first found employment at the carpenter's trade. February 22, 1861, Mr. James received the appointment of postmaster of Martinez, an office he has ever since held with credit to himself and satisfaction to the public, while beyond his connection with the postoffice Mr. James was twice elected to the office of Justice of the Peace. Married in Nantucket, August 17, 1845, Miss Abbie Cortwright, a native of that place. She died April 27,

1862. By this union they had four children: Eliza, Emma, Walter (deceased), and Mary.

SAMPSON W. JOHNSON.—This old pioneer of the coast is the son of William and Mary Wood Johnson, and was born in Russell county, Virginia, August 20, 1828. When but four years of age his parents moved west, locating in Greene county, Illinois, where he received a common school education, and resided until his coming to California. In April, 1846, Mr. Johnson, then in his eighteenth year, started with a party of friends to cross the plains to Oregon, but upon arriving at the Humboldt the company changed their minds on account of one Applegate, misrepresenting a new route to Oregon. Then the party concluded to come to California. Upon arriving at Sutter's Fort, where Sacramento City now stands, young Johnson, learning of the outbreak of the Spaniards, volunteered, with others of the party, and joined General Fremont's army in San José, and followed the General during all his marches through the country. While in Los Angeles, Johnson, with others, was detailed under Captain Ben. Hedgepeth, to make a raid against the Indians, down towards San Diego. He remained with the General till the Spring of 1847, when the battalion was disbanded. Then he returned to Monterey, remaining there until the discovery of gold, then drifting with the tide to the gold mines, where he remained until 1849, when he located in San José, and found employment in a store until he was elected to the office of Constable—being the first Constable in that place—serving two terms. In 1854, we next find our subject on a farm in San Joaquin valley, where he followed ranching until the Fall of 1859. He then moved to Contra Costa county and engaged in the livery business in Pacheco until 1879, when he established his present livery business in Martinez. Mr. Johnson was united in marriage to Miss Annie McClellan, in San José in August, 1850. They have four children: Charles Oscar, James Ewing, Kate Adelaide and Perley Marion.

JOHN JOHNSTON.—This well-known and prosperous farmer of Tassajara valley is a native of Scotland, born in November 1811. When twenty years of age he emigrated to Toronto, Canada, and followed the trade of stone mason, which he had mastered in his native country. In 1834 he crossed to the United States, and to the State of Mississippi, where he remained until March 9, 1849, when he started *via* Texas, for Mazatlan, and from the latter place sailed for the Golden State, arriving in San Francisco July 9, 1849. He immediately proceeded to the mines and embarked in mining for a short time, then turned his attention to stock-raising in San Diego county; in this he continued for three years, and in May, 1855, located on the place now owned by Mr. Finley, and

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there conducted a stock farm. Mr. Johnston has purchased land from time to time, and in 1873 bought his present valuable homestead of fifteen hundred and sixty acres of well-improved and highly-cultivated land; he also owns some fourteen hundred acres of hill land, which is used for pasturing, and is now engaged in general farming and stock raising, dealing more especially in blooded stock, having made two importations of Clydesdale horses from Scotland. Mr. Johnston is upwards of seventy-one years of age, but in the full vigor of health, physically and mentally.

JOHN W. JONES.—This much respected old pioneer, the subject of our sketch, was born in Henry county, Kentucky, January 28, 1822. When but an infant his parents moved to Harrison county, Indiana, and after a short residence there removed to Meade county, Kentucky, where he was educated at the common schools, and resided until fourteen years of age. In 1836 he moved west to Scott county, Illinois, where he resided for two years, and then moved to Platte county, Missouri, where he engaged in farming until the Spring of 1844. He then spent the next three years in boating on the Mississippi river, and in 1847 again settled in Scott county, Illinois, where he resided until March, 1853, when, with ox-teams, and accompanied by his wife and family, he started to cross the plains to the Golden State; after a trip of six months he arrived at his brother's place in Lafayette, Contra Costa county, where he remained the first year, and in October, 1855, bought his present valuable place, consisting of three hundred and ten acres one mile southwest of Walnut Creek, where he is engaged in general farming and stock-raising. Mr. Jones was united in marriage in Exeter, Illinois, May 30, 1852, to Miss Martha J. Arnold, a native of Tennessee, by which union they have one son: Henry T.

HON. JOSEPH P. JONES.—The subject of this sketch, whose portrait will be found in this History, was born in Owen county, Indiana, January 27, 1844. In the year 1853, Mr. Jones being then nine years old, his parents moved to Marion county, Oregon, where he attended the common schools, and, afterwards, entering the Willamette University, at Salem, there received a thorough scholastic training, and finally graduated, *Artium Baccalaureus*, in 1864. In 1865, he returned to his native Indiana, matriculated at the State University in Bloomington, where he entered upon the study of law, and graduated therefrom in 1867. His legal curriculum finished, he returned to his home in Oregon, but shortly after located at the mines in the northern portion of California, where he resided until December, 1869. In that year he came to Martinez, Contra Costa county, and entered upon the practice of his profession, in which

he has achieved considerable success. Upon the election of H. Mills to the post of District Attorney, Mr. Jones was appointed Deputy to the office, and continued as such until the Fall of 1875, when he was nominated and elected on the Republican ticket to the office of District Attorney, the functions of which he held until March, 1878. After a lapse of two years, Mr. Jones once more entered the political arena, and in the Fall of 1880 was called to the House of Assembly, and served at the general and extra sessions of the Legislature, being a member of the Judiciary Committee, as well as Chairman of the Committee on Federal Relations. Our subject is now practicing his profession in partnership with H. Mills, a lawyer long associated with Contra Costa, under the style of Mills & Jones. He married in Martinez, February 2, 1870, Jennie Frazer, a native of Oregon, and has three surviving children, viz: Madison R., Thomas Rodney and Carl Richard.

NATHANIEL JONES.—The subject of this sketch, whose portrait appears in this work, was born, January 20, 1820, in Hawkins county, East Tennessee, where he resided with his parents until his twelfth year, when they removed to Cooper county, Missouri; remaining there but one year, they moved to Morgan county. The country was comparatively new, was rich, and extremely sickly. His father died within a year after settling there, leaving the care of a large family of smaller children upon him and a younger brother, in a place where fever and ague came with the regularity of the seasons. His mother was defrauded of the money for the Tennessee property, which left the family in very straightened circumstances; and, as the country was new, almost entirely without educational privileges. With sickness in the family, as regularly as the years came round, the outlook for the future was indeed a gloomy one; and when the Platte county country was opened for settlement, young Jones, who was then about sixteen years of age, informed his mother that he was going there with some of his neighbors to take up claims. She told him the idea was absurd; that he was too young in the first place, and not able to go if he was old enough. But said he, "I am determined to go, and if I can get a claim, and you will go there with me, I will take care of you as long as you live; but I am resolved to leave this sickly hole." He did go, and got a third rate claim of one hundred and sixty acres, and, in due time, pre-empted it, and divided it with his younger brother. His mother only lived a few years to enjoy the new home, in what became Buchanan county. August 10, 1842, he was married to Elizabeth C. Allen. Soon after this, reports came from the then far-off west that, on the shores of the beautiful Pacific Ocean, there was a country of perpetual Summer, free from drunkenness and vice; that the Government would donate to each head of a family six hundred and forty acres of

land. This, to a young man, with a fair prospect for a large family, and only eighty acres of land, and no reasonable hope of ever being able to buy more, was sufficient to induce him once more to "Go West."

On the 20th day of April, 1846, he, in company with fifteen or twenty other families from Platte and Buchanan counties, Missouri, started with ox-teams for Oregon, the then "Land of Promise." It was a long and tedious journey, that tried to the utmost the stuff that men were made of. And it is, perhaps, not claiming too much, to say that the same number of families never traveled the same distance and encountered the same difficulties with fewer personal differences. Hardly ever a quarrel or dispute, and not a single fight occurred on the entire trip of six months, which cannot truthfully be said of many emigrant trains. The intention was to go to Oregon. California was a place scarcely heard of. But the entire train was providentially turned to the latter State. They had met a number of returning Oregonians, who said that a Mr. Applegate was looking out a shorter and better route through the Cascade mountains, and if he was met, and he reported favorably, they need not hesitate to follow him, as he was a reliable man and well known all over Oregon. This was the more readily believed as he was related by marriage to several families in the train. He did get into the old trail not far from Fort Hall, a short time before his train passed the California trail. He reported having found a shorter and better route; and that all the trains that he had met had turned on the new route, which his did not hesitate to do. This took them to the south bend of the Humboldt, or Mary's river, as it was called by the emigrants, under the direction of a guide, who, before the train came to the forks of the road, passed on, leaving a note informing them that it was eighteen miles to the next camp, where they would find further instructions. Arriving at the new camp, they found no grass for their stock, and an insufficiency of water, and a note informing them that it was eighteen miles to the next camp, but neither grass nor water for their stock, and twenty-five miles to the next camp, where they would find plenty of grass and water. The Captain of the train called a meeting for consultation, and being satisfied that they had been deceived in regard to the road, and understanding that the road to California was open, with plenty of feed and water, they unanimously resolved to turn back, go to California for the Winter, and proceed to Oregon in the Spring. After crossing that almost Saharan desert of sand, from the sink of the St. Mary's river to the Truckee, they were met by Colonel Fremont's recruiting officers, and learned for the first time of the war between Mexico and the United States. All the young men that could be spared from the train enlisted, and started the next morning for the front in their new role, and as they had been inured to hardships in their long march across the plains, they became (in connection with the older pioneers of

California) the "Ironsides" of the American army in Upper California. The weary miles wore away, and it was announced in camp one morning, that to-day the train would reach the white settlements. All was bustle and excitement, particularly among the female members of the train, who hunted up their long unused pomade bottles and starch bags, and in a short time our train, but for the jaded teams, presented the appearance of a party of pleasure-seekers on a picnic excursion. Johnson's ranch was reached, the teams halted, and the ladies of the train came forward to be introduced to the "bon ton" of California. The Californians soon appeared in full force in undress uniform—that is, all under fifteen years of age were as nude as when born, and the older ones, but little better clothed. When they appeared on the field, the women of the train broke ranks and fled in the wildest confusion to their respective wagons, to meditate on the simplicity of Californian fashions. At Sutter's Fort the train was met by Colonel Joe Chiles, who represented that he had a good place for all who desired to winter there. Mr. Jones, with his own and four other families, accepted his offer and arrived at his ranch, November 2, 1846. After they were securely housed for the Winter, more volunteers being called for, our subject, J. C. Allen and Philip E. Walters volunteered, and served under Captain Martin until the close of the war, about three months afterwards. Mr. Jones was in the battle of Santa Clara, where twenty-five or thirty volunteers under Captains Julius Martin and Smith, and about seventy marines under Captain Marsden, of the regular army, were engaged with the native forces. The engagement lasted about three hours, and it was reported that a dog was wounded on the American side, and five or six Californians killed. Mr. Jones got his discharge at the pueblo of San José, and returned to his family at Chiles' ranch. In the early part of June, 1847, he left Chiles' taking his family to the Peralta redwoods, to get out timber.

In the Summer or Fall, Elam Brown bought the Acalanes Rancho, and was anxious for Mr. Jones to take a portion, which he did—an undivided one-tenth—paying therefor one hundred dollars, the proceeds of his Summer's work in the redwoods. We here mention the fact that Mr. Jones' wagon was the first that ever crossed the Straits of Carquinez whole. On his way to the redwoods, in the Spring of 1847, he crossed the Straits in Doctor Semple's ferry-boat—a rude craft propelled with oars. Two other families were waiting to be crossed, but Mrs. Jones was the only one of the women brave enough to go aboard the boat with her family on its experimental trip. There is a belt of country extending through Contra Costa county, of five or six miles in width, where the small valleys, nestling among the hills have a soil as rich as can be, a healthy climate, and scenery of unsurpassed loveliness. In the midst of this Eden of California, the Acalanes Rancho is situated, of which Mr.

Jones owns three hundred and seventy-two acres; a hundred acres of as fine valley land as can be found in this State, one hundred and fifty acres of tillable hill land, and the balance good grazing land; a fine orchard of about five acres of choice fruits, and around his residence some of the largest locust trees to be seen in the State. The seed of the locusts were brought to the State in 1846, by Major Stephen Cooper, but as he settled in Benicia and did not wish to plant the seed there, he gave them to Mr. Jones, and they were planted in the Spring of 1848, and were the first black-locust seed planted in the State. Mr. Jones justly claims the right to christen his place "Locust Farm." His entire farm is enclosed with a good fence, and he has a comfortable dwelling of eight rooms, and convenient out-buildings. His title to the land is perfect. Mr. Jones has held several important offices in the county, being the first Sheriff, afterwards Public Administrator and Supervisor—all of which positions he has filled with credit. He has taken a deep interest in all the material interests of the county, and has ever been an uncompromising opponent of extravagance in the use of county funds.

In the early days of California there were in various places, at different times, scenes of intense excitement over daring robberies, which frequently resulted in the hanging of a few of the outlaws. Contra Costa county did not entirely escape such scenes of excitement, though, be it said to the credit of the leading citizens of the county, none of the outlaws were ever hanged by the outraged and excited citizens, as many of them richly deserved to be. In one of such scenes Mr. Jones took an active and leading part. In December, 1855, James Lane and Milton Davy, citizens of Contra Costa county, stole a lot of cattle in San Joaquin county. They were closely followed by the owners of the stock, and near Antioch were overtaken and captured with the stolen property in their possession. They were turned over to the Sheriff of Contra Costa to be delivered to the proper officers of San Joaquin county for trial. On arriving at Martinez they sued out a writ of *habeas corpus*, the hearing of which had to be postponed for a few days, in order to get some important evidence from San Joaquin county. In the meantime the prisoners were turned loose on what at the time was believed, and afterwards proved to be "straw bail." Meanwhile the Sheriff, N. Hunsaker, had requested leading citizens of the county to be in Martinez on the return day of the writ, as he feared the prisoners and their friends would resist the transfer to San Joaquin for trial. The day arrived and with it two or three hundred citizens to assist the Sheriff, if need be, in the execution of the law. The accused were in Martinez up to a late hour the evening previous, but in the morning they had disappeared, and when the people began to pour into the town, many rumors were industriously circulated, all calculated to intensify the excitement created by the arrest of citizens of the county

whose reputations were good up to this time. It was reported on the street that the Judge was in league with the prisoners, and the question was asked: "Will he proceed with the trial in the absence of the accused?" In the midst of the excitement A. J. Tice, an intimate friend of Lane and Davy, rode into town, his horse panting and covered with sweat. Reports then began to circulate that many head of stolen stock were on the Tice ranch, and it became apparent to the cooler-headed portion of the citizens that unless something was done to allay the excitement somebody would get hurt. In the midst of an excited and passionate address to the crowds around the Morgan House, by Colonel Gift, it was moved that they proceed to the Court House and request the Judge to resign. The motion was carried, and the crowd moved to the Court House. A. J. Tice was requested to go with them, which he willingly did. At this time Mr. Jones was appealed to to speak to the crowd to allay the excitement. He said: "I do not see that I can do or say anything to allay the excitement, but let us watch our chance." The Court room was soon full of excited men, Colonel Gift acting as spokesman. Mr. Jones went to Judge John Curry, the counsel of Lane and Davy, and appealed to him not to urge the trial in the absence of the accused, but to no purpose. A proposition was then made to repair to another room to determine what should be done. As soon as order was restored, Mr. Jones, who had in the meantime counseled with a lawyer by the name of Reynolds, moved that a committee be appointed to inquire into the truth or falsity of the reports of stolen stock on the Tice ranch, A. J. Tice being present and consenting to the proceedings; also a committee to search the town for the accused, it being reported that they were concealed in the town. The main object of Mr. Jones and those acting with him was to get the excited multitude to disperse, giving men time to cool off and act dispassionately. And, as subsequent facts demonstrated, no better plan could have been devised, as one committee reported that no stolen cattle were on the Tice ranch, and the other, that the accused could not be found.

Here the entire matter should have ended, but it did not. Mr. Tice thought he had discovered a very rich bonanza, as many of the wealthiest farmers of the two counties had taken part, one way and another, in the proceedings. He then, strange as it may seem, went to San Francisco and commenced an action for false imprisonment against about fifty of the wealthiest citizens of the two counties, in the Superior Court, Shattuck being Judge. The modest sum of one hundred thousand dollars was claimed as damages! A Mr. Comstock, who had been called as a witness before the committee, commenced a similar action, for a like amount, against the same defendants, with one or two exceptions. Mr. Jones was chosen by the defendants to manage the suits, so far as pro-

curing witnesses and arranging the evidence, and after a very tedious and expensive litigation, which lasted for nearly or quite two years, the cases were decided by giving the plaintiffs one dollar each damages. In political matters Mr. Jones has always acted with the Democratic party, except for a short time in 1855, when he joined the American party for a distinct purpose, which purpose was to compel the then County Judge, Nat. Wood, to be a little more economical in the disbursement of the county funds or force him to resign, the latter of which he claims he was instrumental in bringing about in 1856. In the late "unpleasantness" between the States, Mr. Jones took an active part against the Republican party, because of the incendiary speeches and public documents of like character, endorsed by nearly all of the leading men of the party, that he claimed must, of necessity, sooner or later, result in the destruction of Constitutional liberty. We cannot show Mr. Jones' position better than by repeating the substance of a conversation that took place between him and a prominent physician of the county during a heated political contest at Clayton, they being engaged in earnest conversation over the future outlook, when Mr. Jones said:—

"Doctor, how many secessionists do you honestly believe there are in this county?"

The Doctor answered, "About half a dozen," and named them.

Mr. Jones replied, "Had you asked me the same question, I should have given the same answer, and named precisely the same persons," and continuing, Mr. Jones remarked:

"Doctor, you believe that the Democratic party is just as true and loyal to the principles of the Government as the Republican?"

The Doctor replied, "I certainly do."

"Then," said Mr. Jones, "don't you believe that if everybody in the State admitted that fact, we would beat your party by forty thousand in the coming election?"

"Not to that extent," said the Doctor, "but I believe you would certainly carry the election by a handsome majority."

"Then," said Mr. Jones, "you are compelled to admit that if you succeed, you do it upon a falsehood?"

To which the Doctor has, to this day, made no reply. Previous to the Civil War, there lived at Lafayette a Reverend Mr. Briare, a very radical Abolitionist. He left Lafayette, and, after several years absence, returned and remained some time. On his return he claimed to be very conservative, and to prove his conservatism, told all whom he met that he was going to see Brother Jones, and, on seeing him, commenced a conversation by saying:—

"Brother Jones, I can now conceive how a man can or may be a Christian, and be at the same time a secessionist?"

Mr. Jones replied, "Parson, I do not understand."

The Parson paused a moment, apparently in deep study, and then repeated a second and third time the question.

Mr. Jones said: "Parson, you do not mean to infer that I hold that a man cannot be a Christian and an abolitionist; if so, you do not understand me at all. You do not know what I am opposing, and that we may clearly understand each other, I will read to you a portion of the testimony of a witness on Kansas affairs."

Mr. Jones then read from Report No. 200, page 921, of the Committee of the House of Representatives, Thirty-fourth Congress, First Session, as follows:

"I supposed that the military organization was to shoot down law-abiding men, if they should attempt to enforce the laws. That was my supposition. And an avowed object of the self-defense spoken of, was to defend themselves against the enforcement of those laws, even though they were enforced by United States authority and United States officers."

"This," said Mr. Jones, "is a small portion of the testimony of one Doctor Andrew J. Francis, a captain of one of the military companies that the party claimed was organized for self-defence."

"Here are pages 1135–6–7 of a letter from ex-Governor Reeder to his dear friend in *diabolism:*

"'Let my name go before the Legislature, and if the party will then say they do not need my services, well and good. I shall be honorably relieved of labor, responsibility and danger. If they elect me, I shall feel bound to stand by them, and fight their battles pertinaciously, zealously, faithfully. As to putting a set of laws in operation in opposition to the Territorial Government, my opinion is confirmed instead of being shaken. My predictions have all been verified so far, and will be in the future. We will be, so far as loyalty is concerned, in the wrong; and that is no trifle, in so critical a state of things, and in view of such bloody consequences. It will be an invitation to the powers that be to bring down the Missourians upon us in the assumed character of the vindicators of the law.'"

The Parson dropped his head between his hands, his elbows on his knees, and remained for some time as if in deep thought, when he replied:

"Brother Jones, I saw that before, and as I am in a great hurry, I will call and see you again when I have time."

But he has never had time, or has never called since.

In conclusion, Mr. Jones says upon such testimony as this, to which volumes may be added of the same character, he is willing that future generations may judge as to his fealty to Constitutional Government.

Besides three children deceased, Mr. Jones has now living the following family: Robinson M., born July 2, 1844; Martha A. (now Mrs.

John Slitz), born December 18, 1847; Eliza J. (now Mrs. D. E. Cameron), born June 8, 1850; Jasper J., born June 28, 1854; Wallace L., born May 28, 1860.

ROBINSON M. JONES.—The subject of this sketch is the son of these old pioneers Nathaniel, and Elizabeth (Allen) Jones, and was born in Buchanan county, Missouri, July 2, 1844; when but eighteen months old his parents started from their Missouri home to cross the almost trackless plains and inaccessible mountains to the Far West, and, after a weary trip of seven months, they arrived in Chiles' valley, Napa county, where they remained for one year, when they moved to the redwoods of Contra Costa, where our subject's childhood was spent. He attended the Lafayette district school, and afterward finished his education at the San Ramon college near Alamo. In 1867, our subject, in company with a Mr. Johnson, now of Napa county, engaged in the newspaper business, being editors and proprietors of the *Solano Sentinel* of Suisun, in which he remained for one year. He then returned to this county and followed farming and teaching school until 1873, when he was elected to the office of County Surveyor; and two years later was re-elected to the same office, butr esigned in favor of the present incumbent, Thomas A. McMahon. In 1876, on the completion of the Grangers' Warehouses at Martinez, Mr. Jones was appointed by the directors to take charge of the same, in which capacity he has simce remained, with the exception of seven months, and is now considered by that association the right man in the right place. Was united in marriage in Lafayette, October 27, 1872, to Miss Nettie Renwick, a native of California, by which union they have three sons, whose names are Emmit R., born September 24, 1873; Robert L., born August 22, 1877; Charles, born June 21, 1880.

FREDERICK KAPP (deceased).—The subject of this sketch, whose portrait appears in this work, was born in Hagerstown, Washington county, Maryland, November 27, 1833. At the age of nine years his parents moved to Alabama, and there he received his education at a private school, afterwards serving a term of five years at the printer's trade. In December, 1849, our subject moved west and located in Camden, Arkansas, and there followed his trade for three years. November, 1852, Mr. Kapp entered the employ of J. West Martin, to aid in driving a drove of cattle and sheep to California, and after a weary trip consuming over one year, they arrived in Haywards, Alameda county. A few years later he began farming and stock raising on the San Lorenzo creek, where he dwelt some twelve years. In 1865, Mr. Kapp sold out and engaged in farming with his uncle, Mr. Martin, in Alameda county, where he resided until the Fall of 1875, when he, in company with W. D. and W. B. English, purchased their large tract of land consisting of three thousand

five hundred acres located three miles north of Concord, where our subject resided, surrounded by his wife and family and enjoyed the fruits of a well-spent and prosperous life, having the esteem and confidence of the community in which he lived; but was called away in the full bloom of manhood and in the prime of life. Mr. Kapp died February 5, 1882. He was united in marriage in Livermore, Alameda county, May 25, 1875, to Miss Lucy Belle Clarkson, a native of Missouri, born September 20, 1850, by this union there are four children: John English, born February 19, 1876; Weenie, born October 23, 1877; Bell, born January 20, 1879; and Kathleen, born November 16, 1880.

MICHAEL KEARNY.—Born in County Antrim, Ireland, January, 1820. On attaining the age of twenty-seven years, he emigrated to the United States, and for the first two years resided in New York City. After passing two more years at Newburg, he had an engagement for a like period in the West Point foundry, at the expiration of which he returned to New York, and there remained until 1854. In that year he sailed for California, *via* Chagres river, arriving in San Francisco in the month of May. He now proceeded to the southern mines for a short time, but returning to the Bay City, worked as a laborer during one Summer. He next tried the mines near Downieville, Sierra county, until May, 1857, when he located in Contra Costa, near the county line, about five miles from San Pablo; at the end of two years he leased the farm where Mr. Jones now resides, and dwelt there for six years, and finally, in 1865, purchased his present property, comprising one hundred and ten acres of up-land, and one hundred and four acres of tule, on which he has made many improvements. Married in New York, September 6, 1851, Mary McPike, a native of Londonderry, Ireland, and has four surviving children: Bridget (now Mrs. O'Neil), Edward, Catherine (now Mrs. Fergusson), and Sarah.

MICHAEL KIRSCH.—A native of Prussia; born November 28, 1832, and received a common school education at St. Wendel. In 1849 he emigrated to the United States; first located in Cincinnati, and in that city served a two-years' apprenticeship to the blacksmith's trade; he then passed some four years as journeyman, and at the end of that time was employed by the Iron Mountain Railroad Company as blacksmith; removed to Missouri, and continued in this position until 1858, when he emigrated *via* Panama, to this coast, first locating at Watsonville. There he followed his trade for six months. His next move was to San Francisco, where he opened a shop on Pacific street, between Montgomery and Sansome, and there resided until the latter part of 1858, when he moved to Contra Costa county, and located in Walnut Creek, purchased his present property, opened his blacksmith shop, and in connection with which he runs

James Stewart

a wagon and carriage manufactory. Was united in marriage in San Francisco September 24, 1866, to Miss Julia Switzer, a native of Bavaria; by this union they have four children: Frederick M., born November 14, 1867; Emma E., born December 5, 1869; Virginia P., born January 10, 1871; and Berthe, born April 6, 1873.

NICHOLAS KIRKWOOD.—Born in Scotland, near Glasgow, December 15, 1832. He resided in his birth-place, was educated at the common schools, and afterwards learned the trade of machinist until nineteen years of age. July, 1851, found Mr. Kirkwood on a sailing vessel in the port of Greenock, bound for the United States, *via* Cape Horn, coming direct to San Francisco, where he arrived February 22, 1852. He first found employment with the Pacific Mail Steamship Company, on board one of their vessels running from San Francisco to Panama, and remained in that situation until 1857. He then purchased his present property of one hundred and forty acres, in Diablo valley, one mile west of Clayton, and has since acquired eighty acres more. He went there to reside September 15, 1857, and is now engaged in farming and viticulture. Mr. Kirkwood never married.

PHILIP J. KLEIN.—Born at Franfort on the Main, June 10, 1840, where he was educated and resided until he attained the age of twenty-two years, when, in December, 1862, he sailed from Hamburg for New York. There he remained a few days, and came to the Pacific coast, *via* Panama and arrived in San Francisco in January of the following year. There he resided for four years, being engaged in the hotel business, part of the time at the Eureka Hotel and afterwards at the Nucleus Hotel. In July, 1867, he returned to his native country, where he remained eight months, during which time he was joined in wedlock. He returned to California with his wife, and on arrival at San Francisco found employment at the "Nucleus," where he remained until being taken with small-pox, when he concluded to change his residence. On February 7, 1870, he came to Contra Costa county, and located at Concord. There Mr. Klein purchased his present property, and engaged in the hotel business, which he still continues, being proprietor of the Concord Hotel. Married in Germany, March 13, 1868, Catharine Houser, a native of Germany. By this union there are: Frederick W., Louisa G., Charles W., August and Katie A.

ERNST F. KOHLER.—Born in Hanover, Germany, January 16, 1842, and there was educated and resided, being with his uncle in a distillery until he attained the age of seventeen years. He then emigrated to the United States, and arrived in New York September 3, 1860, where he resided until coming to California in December, 1861, landing in

San Francisco on Christmas day of that year. At the end of a twelve-month he embarked in agricultural pursuits on Sherman Island, where he remained until June, 1868, when he returned to New York on a visit. In the month of August of the same year he came back to California, and engaged in wine-making in different localities until 1878, when, in September of that year, he purchased his present ranch of three hundred and twenty acres, on which he has a vineyard and orchard sixty acres in extent. Married, in San Francisco, Miss Matilda F. A. Klussmann, a native of Mecklenberg-Schwerin, Germany, and has: Frederick, Matilda and Henry.

WILLIAM KRIEGER.—Born in Prussia, in the year 1833. In the year 1853 he emigrated to the United States, and in 1856 came to California. He first found employment in San Francisco in a restaurant, subsequently going into business on his own account for three years till October, 1859, he moved to his present ranch, consisting of one hundred acres, where he now resides, being chiefly engaged in farming and stock raising. Married, in San José, 1858, Adeline Steitz, who died September, 1861. By this union there is one child, Eliza, born June 9, 1861.

FREDERICK LANGENKAMP.—Born in the kingdom of Hanover, November 20, 1817, and there resided on a farm until his twenty-sixth year. He then emigrated to the United States, and first locating in Baltimore, worked on a farm about three miles from that city for one Summer; he then found employment on the railroad at that time building from Baltimore to Harper's Ferry. January, 1844, he enlisted in the United States Army, served with General Scott in his campaign in Mexico, took part in all the prominent engagements of that memorable campaign, and on the surrender of the Mexicans to the United States forces, our subject was stationed in the city of Mexico until the expiration of his term of service, when he returned to New Orleans, and was there married. He now moved to Macon county, Illinois, and there resided until his coming to this State, *via* New York and Panama, and arrived in San Francisco, October, 1863. He immediately proceeded to Napa county and joined his brother-in-law, John S. Hogan, and after a short sojourn came to Pacheco, Contra Costa county, where he resided until 1869, when he purchased his present ranch of one hundred and eighty acres of beautiful farming land in Ygnacio valley. Mr. Langenkamp has experimented extensively in the hop and fruit business, for which his farm is well adapted. Married, in New Orleans, January 25, 1852, Miss Maria Hogan, a native of Ireland. By this union they have had five children: Henry (deceased), Francis, George, Ellen (now Mrs. Charles Campbell), and Bernard (deceased.)

JOHN LARKEY.—The subject of this sketch was born in Delaware county, Ohio, March 9, 1831. When but four years of age his parents moved to Illinois, and in that State resided until 1846, when they moved to Wisconsin; after a residence of two years in the Badger State they again moved, and located in Jackson county, Iowa, where his parents still reside. March 30, 1853, Mr. Larkey, then being twenty-two years of age, in company with two of his uncles, started with horse-teams to cross the plains to California, and after an uneventful trip arrived, and first located in Alameda county, where he was employed on a farm for four months. Mr. Larkey then engaged in farming for himself, and resided in that county until 1857. In that year he selected Contra Costa county as his future home, by buying his present place of seven hundred and thirty acres, situated one mile and a half from Walnut Creek, and now, after long years of labor, besides a vast outlay of money, Mr. Larkey has one of the best improved and appointed farms in the county, his beautiful residence situated on a commanding eminence being surrounded by flowers, evergreens, shrubbery and all the different kinds of fruit. Mr. Larkey, now in the prime of life, is enjoying the comforts of his happy home with the wife of his youth, beloved by his children and friends, and respected by the citizens of the county in which he dwells. He was married in Jackson county, Iowa, March 26, 1864, to Miss Martha E. Spore. By this union they have six children: Alonzo S., born December 29, 1864; George E., born December 15, 1866; Ida L. and Ada L. (twins), born May 13, 1870; Eda L., born October 28, 1872; Ora E., born August 31, 1875.

JOSHUA A. LITTLEFIELD.—The subject of this sketch was born in Wells, York county, Maine, July 24, 1836. Residing in his birth-place until sixteen years of age, he then went to Exeter, New Hampshire, and there learned the trade of tinsmith, staying there for two years, and then, after some three years spent in Lowell and Boston, he started, *via* Panama, for this coast, entering the Golden Gate September 15, 1857. On his arrival in the metropolis of the Golden State he immediately proceeded to Benicia; there found employment at his trade, with L. D. Sanborn, and resided until 1859, when he came to Contra Costa county, and first located in Pacheco as foreman for L. B. Dell, remaining in this capacity for eighteen months, when he bought Mr. Dell out, and continued business for himself. In 1874 Mr. Littlefield sold a half interest to George Wiggins, and this firm has since continued business under the name of Littlefield & Wiggins. In 1879 they started a branch store in Martinez, and in 1881 bought the property they now occupy on Main street. In that year Mr. Littlefield moved his residence to Martinez, and is now managing their tin and hardware store at that place, surrounded by his interesting family of five children and a pleasant home.

GEORGE P. LOUCKS.—Whose portrait appears in this work, is the son of Peter G. and Nancy Gray Loucks, and was born July 21, 1819, in Montgomery county New York. At the age of thirteen years was employed as a clerk by a general merchandise, grain and forwarding house; remained with them until the dissolution of the firm, about two and a half years; after which engaged as clerk with a general merchandise and produce firm; remained with them about five and a half years; then returned home to his parents, and engaged in farming for one year. In 1838 Mr. Loucks was elected Captain in the One Hundred and Thirty-eighth New York Volunteers; in the following year he became Major; the following year was Colonel, and afterwards *aid-de-camp* to Major-General Averill. April 22, 1841, was married to Ann, daughter of John and Catharine Lyke Liebre. Engaged in general merchandise, grain and forwarding business until the Fall of 1848. Removed to New York City and engaged in commission and brokerage business until 1851. November 11, 1851, sailed per steamer *Georgia* for Chagres; arrived at Chagres, November 21st, thence crossing the Isthmus, and sailed per steamer *Tennessee* from Panama, arriving at San Francisco, December 17, 1851. After visiting friends at Sacramento, left San Francisco, December 29th, for Big Oak Flat, Tuolumne county; arrived at that place January 2, 1852, and engaged in mining; left Big Oak Flat, July 4, 1852; arrived in San Francisco, July 7th, and engaged in ship-store and commission business up to December, 1857. Removed to his present residence December 4, 1857, and engaged in farming and warehousing up to March, 1864. In September, 1863, was elected County Clerk, *ex-officio* Recorder, etc., for term of two years; was re-elected in 1865. In 1871 was elected Supervisor for third township; was re-elected in 1873 for full term from March, 1874. He had been engaged in farming in connection with his official duties during his term of office. He has been identified with the Grangers' Warehouse and Business Association of Contra Costa county from its inception, and one of the Board of Directors and Secretary. He has four children living. Peter G., his eldest son, was born in Montgomery county, New York; Frank L., his youngest son, was born in San Francisco; his two daughters living, Annie and Belle, were born at his present place of residence.

WILLIAM LYNCH.—Is the son of William and Elizabeth (Smith) Lynch and was born in New York, July 28, 1827. At the age of fifteen years, he commenced the battle of life as an apprentice to the carpenter's trade, and at the end of five years launched forth as a full-fledged journeyman, in New York City, for two years more. Determining, however, to try his fortune in some other part of the world, Mr. Lynch sailed from New York in the month of December, 1848, in the pilot-boat *W. G. Hackstaff, via* the Straits of Magellan, for San Francisco, at which place he was

finally landed, after some six months buffeting with the winds and waves, June 28, 1849. In the Bay City he worked at his trade until the Fall of 1850, when he came to Contra Costa county, and, with Leo Norris, located in the San Ramon valley, where he embarked in farming, an occupation he still continues on his ranch, comprising three hundred and fifty acres of valuable land. Mr. Lynch married in April, 1853, Mary L. Norris, a native of Illinois, and has five children, viz: Leo, Mary, Naonie, Jane and Minnie.

LEO LYNCH.—Born in Contra Costa county, December 23, 1853, and is the son of William and Mary (Norris) Lynch. Our subject was educated in the common schools of the district of his birth, continuing his scholastic training at St. Mary's College, in San Francisco, and that of Santa Clara, and, finally, in 1870, matriculating at the State University, where he graduated at the end of a four-years' term. He then engaged in mercantile pursuits at San Ramon, and was appointed postmaster there in 1877. Having disposed of his business to B. W. Dunn & Co., in 1879, Mr. Lynch is now engaged in farming his father's ranch of three hundred and fifty acres. Married in Oakland November 28, 1878, Minnie, daughter of T. C. Coxhead, M. D., by whom he has one child, Ramona.

J. P. McCABE.—One of the most prosperous farmers of Township Number Five, whose portrait appears in this work, was born in Dixon, Lee county, Illinois, June 15, 1839, and there resided and received a common school education until 1853, when, in May of that year, he, with his parents, three brothers and two sisters, started with horse-teams across the plains to California, arriving in Sierra county in August of that year. Remaining there but a short time, they proceeded to Nevada county, and there resided until 1860, when Mr. McCabe, Sr., moved his family to Napa county, where our subject finished his education at the Collegiate School of Napa City. They then moved to this county, and located in Township Number Five, in 1868. In 1873, the subject of this sketch purchased his present beautiful and well-cultivated farm of three hundred and twenty acres, where he now resides. Mr. McCabe has since purchased one hundred and sixty acres, one-half mile from his home, and six hundred and forty acres near the "Stone House," adjoining the Marsh Grant. Mr. McCabe has for a number of years held the office of postmaster of Point of Timber. Was married, in Contra Costa county, to Miss Maggie Andrews, a native of Illinois, by which union they have two children: Lester Leroy and Rosie Edith.

THOMAS McCABE.—This old and esteemed citizen of Contra Costa county, whose portrait appears in this work, was born in Guernsey

county, Ohio, May 28, 1810, and is now in his seventy-third year. He was educated and resided in his birthplace until eighteen years of age; he then engaged in boating on the Ohio, and afterwards on the Wabash river in Indiana in 1830, where he remained for two years and united in marriage with his present wife. He next moved to Sangamon county, Illinois, where he followed farming for four years; the balance of the time until 1850 he spent in several different counties of the same State. May 8th of the above year he, with quite a large company of others, started to cross the plains to the New Dorado, Mr. McCabe being elected captain of the train, and after an uneventful trip of three months, arrived in Placerville, August 3d of the same year. Our subject immediately engaged in mining, which he followed until the Fall of 1852, when he returned to his home in Illinois, and in the following Spring came back with his family to this coast, and located at Snow Point, Nevada county, where he engaged in mining until 1859. When we next find him, it is in Solano county, for three years; the succeeding five years were passed on a ranch in Napa county. In the Fall of 1867, Mr. McCabe moved to this county, and located on his present farm of one hundred and sixty acres, one mile from Brentwood, where he is now enjoying the full blessings of a well and prosperously spent life, having in view of his dwelling the bright and pleasant homes of his sons, who are now substantial farmers of the Point of Timber district. Married, in Fountain, Indiana, January 13, 1831, Miss Maria Peacock, a native of Ohio. By this union they have nine children living, and twenty-six grandchildren. Their family consists of Joseph, Henry, George, Edward, Frank, Annie (now Mrs. George Fellows), Jane (now Mrs. Thomas Stuart), Mary (now Mrs. Fly) and Ella.

JOHN McCANN.—Was born in County Tyrone, Ireland, October 15, 1845, where he received his education and resided until he reached his twentieth year. At that time, 1866, he sailed to the United States, first landed in New York, and, after a short stay, started for San Francisco, where he arrived November 23, 1866. Three days thereafter he came to Contra Costa county and found employment with John Rodgers as foreman. Here he remained three years, when he removed to Dixon, Solano county, and embarked in farming with his cousin, William McCann. At the end of eleven months he returned to Contra Costa, and established a wood business between San Pablo creek and San Francisco. In this occupation he continued eight or nine months, when he commenced farming on his own account, in company with Pat. Tinney, on Dr. Carothers' ranch, about two miles from Pacheco. Here our subject resided one season, and then went into the employ of the Clayton brewery, where he was three years their teamster. In the Spring of 1874 he transferred

his residence to Oakland, Alameda county, where he remained twelve months, being interested in a livery stable; he subsequently came back to the farm of Mr. Rodgers, and stayed there until September 12, 1875, when he bought out the saloon of James McKenna, opposite the Bank of Martinez. This establishment he conducted until December 11, 1876, when the premises were consumed by fire. Mr. McCann, however, at once opened his business in the Castro Block, and there conducted his affairs until February 17, 1877, when he opened his present elegant parlors, at the corner of Main and Ferry streets, in the town of Martinez, where he has on hand a large and varied assortment of wines and liquors. If a good life, hard work and honorable principles could fill the pockets, then John McCann's should overflow with wealth. He married in Benicia, Solano county, June 17, 1879, Josephine A. Powers, a native of Benicia, and has: Josephine Loretto, born March 30, 1880; William James, born May 31, 1881.

DAVID F. McCLELLAN.—This old and respected pioneer of California, a native of Roane county, Tennessee, is the son of Abraham and Jane (Walker) McClellan, and was born August 10, 1820. When one year of age his parents moved to Jackson county, Missouri, where our subject was raised on a farm and resided until May, 1843, when he, with three companions, procured an outfit, and with mule-teams started to cross the then almost trackless plains to California. On arriving at South Platte, they joined a train under command of Colonel Chiles (now of Napa county), bound for California, and continued their westward journey to Fort Hall. Here the company separated, part continuing on the Oregon route, and part to California, under the command of Joseph R. Walker. In the latter party was Mr. McClellan, and, after an uneventful trip, they arrived in Gilroy, Santa Clara county, February 1, 1844. The first two years were spent, in part, at the trade of carpenter and hunter. He then made preparations to return to his Missouri home, but on arriving at Fort Bridger and hearing of an Indian outbreak, they deemed it unsafe to push further, therefore they took the principal part of their animals and proceeded to Fort Bent, where our subject sojourned but a short time, when he continued on his eastward journey, arriving at his former home in the Fall of 1846. Here he resided until August, 1847, when he, with James T. Walker and his uncle Joseph R. Walker, with several others, started again for this State, spent the first Winter in the Rocky Mountains, and arrived in Sacramento in the Summer of 1848. We next find Mr. McClellan keeping a grocery store at the mines, at the same time being engaged in the stock business in which he continued until 1850, when he paid another visit to his home in Missouri. Staying but a few months, he again returned to this coast and to Gilroy, where

he followed his trade until the Fall. He then purchased stock and proceeded to the mines on Maxwell's creek, where he engaged in the butcher business for one Winter. In the Fall of 1852, our subject again paid a visit to his home in the east; and once more, in 1853, crossed the plains, for the third time, to this coast, and came direct to Contra Costa county, locating on the place now owned by Lawrence Geary, where he remained until 1877, when he sold out and purchased his present home in Pacheco; he also owns a farm of one hundred acres, two miles southeast of the town in which he now resides.

JAMES McHARRY.—The subject of this narrative, a portrait of whom will be found in this work, was born in County Antrim, Ireland, in the year 1830, and resided there until the age of seven, when he removed to County Down. In 1850 he emigrated to the United States, and first settled in Hamilton county, Ohio, where he engaged in gardening and farming. At the end of a year he moved to St. Louis, Missouri, and there embarked in the raising of vegetables, and horticulture, a business he followed until starting for California. On March 10, 1853, Mr. McHarry commenced the arduous undertaking of crossing the plains to the Pacific Coast. Having entered the State by Cañon Pass, he proceeded to Sacramento, at which place he arrived August 10th of the same year. Like nearly all who accomplished the difficult journey, our subject immediately made for the mines; but instead of prosecuting the search for gold in the bosom of mother earth, he proceeded to San Mateo county and commenced laying out a vineyard and orchard near Crystal Springs. There he remained until moving to Contra Costa county in 1856. Mr. McHarry owns a fine farm of five hundred acres, where he is engaged in farming, as well as stock and fruit raising. Married August 11, 1854, Ann McClelland, a native of County Antrim, and has: James, Daniel, Sarah, Mary, John, Isaac, and Hattie.

JOB C. McMASTER.—The subject of this sketch was born in Sullivan, Hancock county, Maine, June 10, 1822, and is the son of Daniel and Elizabeth (Cashman) McMaster. When about two years of age his parents moved to Etna, Penobscot county, same State, and there resided for six years, when Mr. McMaster, with his parents, went to Pittsfield, Somerset county, where he remained until the year 1842, when he went to Lowell, Massachusetts, where he learned the trade of carpenter, which he followed until he came to California, together with the Revs. Joseph H. and W. W. Smith and about fifty others, starting January 9, 1849, from Boston on the brig *Forest*, arriving at San Francisco, July 6th of the same year. After following his trade for eighteen months in the above-named city, he returned to his old home in Maine, remained there six months, and

again came to the Pacific Coast, *via* the Isthmus of Panama. After a few weeks spent in San Francisco, he came to Contra Costa county, arriving in December, 1851, and located on the place where Antioch now stands. We may add that on his first visit to California he went to Antioch, in company with W. W. Smith, with whom he laid out the town. On his second visit he was mostly engaged in stock-raising and butchering, while he was one of the first who embarked in the dairy business in Antioch. Mr. McMaster also formed a company for making brick as long ago as 1852. In 1853 our subject was elected a member of the Board of Supervisors, and was serving at the time when the office was abolished. From the year 1870 to 1872 he held the office of Town Marshal of Antioch, and in the Fall of 1873 was again elected to the Board of Supervisors for Township Number Five, an office he now has the honor of holding. Married in Lowell, Massachusetts, September 10, 1851, Harriet Bacon, a native of Sullivan, Maine, by which union two children were born, viz.: Miranda M. (now Mrs. J. P. Abbott, of Antioch,) and Andrew J. (deceased).

JAMES McNAMARA.—A native of County Clare, Ireland, was born about 1847. In 1862 he emigrated to America, first locating in Connecticut, where he resided until January, 1863. He then enlisted in Company K, First Connecticut Artillery, in which he served until the close of the war; our subject then returned to his former home in Connecticut, and there remained, engaged in farming until 1868, when he came *via* steamer to California and direct to Contra Costa county. Here he first found employment on the ranch of Patrick Tormey, near Pinole, where he remained for four years; he then came to Martinez and opened his present business, in which he has been successful owing to well-maintained prosperity, on Main street, where he resides and carries on his business. Mr. McNamara was married in Oakland, July 18, 1878, to Miss Mary Bennett, a native of Ireland. They have three children: James, John and Joseph.

DOCTOR JOHN MARSH, (deceased).—The life of each illustrious man is a drama, of which the various acts are subjects of the most lively interest, when properly detailed by the faithful historian. The task of the latter, however, is no easy one, in case he attempts to trace those links which, as fractional parts, unite and truly represent the original. Every great man's life, if studied comprehensively, reveals a purpose; and the historic painter would fall far short of what art claims from him, if, in the imagery of his picture, he omitted the delineation of glimpses of such a purpose, which, like a sunbeam in the background of a painting, illumines and brings into view each point and feature of the picture. Pre-eminently, in the life of him whose name appears at the head of this

sketch, do we observe such an inspiring aim and continued purpose, that, like glory following virtue as its shadow, "lived with and accompanied him as an ever-present genius." Besides the intellectual endowments with which he was gifted, he possessed those of the heart no less unusual. To depict these with that simplicity of coloring which comports with nature, is no ordinary undertaking. The gentleman whose memoir we pen, and whose portrait appears the first in this work, was descended from John Marsh, who came from England to the United States in the year 1634, who joined the first church in Salem, Massachusetts, in 1639, and afterwards married Susanna, daughter of Rev. Samuel Skelton, pastor of that church. This gentleman was sent over from England as one of the first ministers to Massachusetts Bay. Our subject was born in Danvers, Massachusetts, (that part of Danvers which is comprised within the limits of South Danvers,) June 5, 1799. His father was John Marsh, born November 26, 1778, and died January 29, 1858, and his mother Mary (Brown) Marsh, born December 23, 1772, and died November 14, 1844. Doctor Marsh commenced preparations for college with Rev. Dr. Eaton, of Boxford, Massachusetts, and finished at Philips' Academy, Andover, same State. At eighteen or nineteen years of age he entered Harvard University. While in college he taught school during the Winters in his native town. When young he was more remarkable for active exercise than for abstruse studies. He was ever fond of hunting and trapping, while the groves and brooks around would bear testimony to his adroitness in capturing their tenants. No fox, squirrel nor musk-rat could live where our subject wandered. After graduating from Harvard, Doctor Marsh spent two years at Fort Snelling (now St. Paul), Minnesota, where he had the appointment of Instructor of Officers' children. While there he took up the study of medicine under a physician, who died before he completed the regular course. From Fort Snelling he went to Detroit, Michigan, and in company with Governors Schoolcraft and Cass, with whom he was very intimate, went, on horseback, to Washington, D. C., remaining several months; then making his last visit to his father, returned, in the Spring of 1826, to Prairie du Chien, Wisconsin. In the Summer he went to reside at Fort Crawford, near Prairie du Chien, as Indian Agent, where he remained about three years, until after the Black Hawk war, in which he had some command. There were some white settlers about there, and he held the office of Justice under the then Territory of Michigan. Between the years 1828 and 1835 he was engaged in mercantile pursuits in St. Joseph, Missouri, and from there he started for the Far West, on horse-back, with an exploring expedition, traversed the States of Chihauhau and Sonora, crossed the Gila near the tide-water of the Gulf of California, entered this State at its southern part, and resided for

Thomas Murphy

awhile in Los Angeles. Any more direct route from the United States was, at that time, unknown, and considered impracticable. Our subject had the good fortune to obtain from the Mexican Governor a grant of land at the base of Mount Diablo, where he settled and commenced the business of rearing cattle, and his herds, in time, became as numerous as those of the patriarchs of old.

When the gold fever began to rage, Dr. Marsh's lands commenced to advance, and it is not easy now to compute their value. Shortly after, his title was confirmed by the United States. Dr. Marsh's personal appearance was commanding, his adroitness as a manager, great. He had seen much of life, was a keen observer of men and things, and a man of much general information; was a thorough French and Spanish scholar; had a more perfect knowledge of their habits and manners than any other person of his time, except, perhaps, Mr. Schoolcraft. In the report of the United States Exploring Expedition he was considered the best authority for information in regard to the country, as he had made many private expeditions to various parts. His mind was sound and logical, his spirit resolute and adventurous. Dr. Marsh was foully murdered by some native Californians, who are supposed to have had a grudge against him, on September 24, 1856, while on his way to Martinez, and about two miles from that place; for particulars of this atrocious deed we refer the reader to page 342 of this work. The following documents, kindly placed at our disposal by W. W. Camron, of Oakland, the son-in-law of the late Doctor, we reproduce *in extenso*, as they speak of the earliest history of California and the state of the country, and might lose force in transposition; they are apparently communications to the *New Orleans Picayune*, and all dated in the early part of 1846.

"Messrs. Editors:—Certain willful, malicious and ill-disposed neighbors of mine have entered into a conspiracy against me. They have, for some time past, instigated, no doubt by their own indolence and evil dispositions, been teazing me to write articles for the newspapers in the United States. They represent to me that the people there are very desirous to have correct information relative to California, and that they cannot easily obtain it. That although several works on this country have recently been published, that they are not entitled to implicit confidence, either because the writers were hasty travelers, unacquainted with the language of the inhabitants, and not possessed of the requisite information; or that these works were published to answer a particular purpose, which was not exactly that of the naked truth. As I have heretofore thought it better to attend to my own business rather than undertake to enlighten the people of the United States about California, these same ill-disposed neighbors of mine have undertaken to place me under an interdict. They declare that unless I will write articles for the American newspapers, none of the

said newspapers shall reach me. Now as these enemies of mine live in Monterey, where foreign intelligence first arrives, they have actually stopped my newspapers, and I am thus compelled to write, or not have the privilege of reading the news. You will perceive, therefore, that if my effusions are worthless, the fault is not mine, but of those who have forced me to write against my will. I have hesitated to what journal to address my precious communications, but have finally selected the *Picayune*, because we consider it the best for Mexican and Texan news, in which we feel a deep interest, and partly because we have a sort of fellow-feeling for Mr. Kendall on account of his romantic pilgrimage to New and Old Mexico.

"The first European who saw California was Grijalva, who commanded a naval expedition fitted out by Cortes the Conqueror, in the year 1534. He discovered the southern part of Lower California, which he supposed to be an island, and this opinion was for a long time entertained by the Spaniards. Lower, or Old California, is for the most part an uninhabited and uninhabitable desert, as remarkable for its extent and sterility as Upper California is for its fertility and beauty. The country now known as Upper California was discovered by Juan Rodriguez Cabrillo, in the year 1542. The first settlement of the Spaniards in the territory was begun at the port of San Diego, on the 1st of May, 1769. The first Governor of Upper California was Don Gaspar de Portala, a captain of dragoons in the Spanish army. The first attempts at settlement were made by founding Missions, which were gradually extended along the coast towards the north wherever suitable situations could be found. The last of these Missions that was attempted was at Sonoma, which was begun about twenty-five years ago. It was nipped in the bud by the revolutions that severed Mexico from the Crown of Spain. These Missions, as long as the Spanish power lasted, were in a most flourishing condition, possessed nearly all the good lands in the country, and were occupied by upwards of twenty thousand converted Indians. Since the revolution these Missions, like everything else in the Mexican territory, have gone rapidly to decay. At present most of them are entirely abolished, their immense wealth dissipated, and the lands apportioned out among private individuals. It has been usual to state the population of Upper California at five thousand persons of Spanish descent and twenty thousand Indians. This estimate may have been near the truth twenty years ago. At present the population may be stated in round numbers at seven thousand Spaniards and ten thousand civilized, or rather domesticated, Indians. To this may be added about seven hundred Americans, one hundred English, Irish and Scotch, and about one hundred French, Germans and Italians. Within the territorial limits of Upper California, taking the parallel of forty-two degrees for the northern and

the Colorado for the southeastern boundaries, are an immense number of wild, naked, brute Indians. Their number, of course, can only be conjectured. They probably exceed a million, and may possibly amount to double that number.

"The climate of California is remarkably different from that of the United States. This difference consists mainly in its regularity and uniformity. From May to October the wind is invariably from the northwest, and during this time it never rains, and the sky is brilliant, clear and serene. The weather during this time is temperate, and rarely oppressively warm. The nights are agreeably cool, and many of the inhabitants sleep in the open air the year round. From October to May the wind blows frequently from the southeast, and is always followed by rain. Snow never falls except on the mountains, and frost is rare except in December and January. A proof of the mildness of the climate this moment presents itself, in the shape of a humming-bird, which I just saw from the open window, and this on the first day of February, in latitude 38°. Wheat is sown from October until March, and maize from March to July. As regards human health and comfort, the climate is incomparably better than that of any part of the United States. It is much the most healthy country I have ever seen, or have any knowledge of. There is absolutely no disease whatever that can be attributed to the influence of the climate. The face of the country differs as much from that of the United States as the climate. The whole territory is traversed by ranges of mountains, which run parallel to each other, and to the coast. The highest points may be about four thousand feet above the level of the sea; in most places much lower, and in many parts they dwindle to low hills. They are everywhere covered with grass and vegetation, and many of the valleys and northern declivities abound with finest timber trees. Between these ranges of mountains are level valleys, or rather plains, of every width, from five miles to fifty. The magnificent valley through which flow the San Joaquin and Sacramento rivers, is five hundred miles long, with an average width of forty or fifty. It is intersected laterally by many smaller rivers abounding with salmon. The whole region abounds with vast herds of wild horses, elk and antelope. The only inhabitants of this vast valley (which is capable of supporting a nation) are about one hundred and fifty Americans, and a few miserable Indians. The Bay of San Francisco, into which all these rivers flow, and is the natural outlet of all this region, is considered by nautical men as one of the finest harbors in the world. It consists of two principal arms, diverging from the entrance in nearly opposite directions, and each about fifty miles long, with an average width of eight or ten miles. It is perfectly sheltered from every wind, has great depth of water, is easily accessible at all times, and space enough to contain half the ships in the world.

The entrance is less than a mile wide and could easily be fortified so as to make it entirely impregnable. The vicinity abounds in the finest timber for ship-building, and in fact, everything necessary to make it a great naval and commercial depot. Near the entrance of this magnificent harbor, within the last seven years, has grown up the flourishing town of Yerba Buena, built and inhabited entirely by Americans and Englishmen.

"The agricultural capabilities of California are as yet very imperfectly developed; it is well adapted to the productions of Spain, Portugal and Italy, and the region lying in similar latitudes on the western coast of Europe. The whole of it is remarkably adapted to the culture of the vine. Brandy and wine of excellent quality are already made in considerable quantities; olives, figs and almonds grow well; apples, pears and peaches produce abundantly, and in the southern part, oranges. Cotton is beginning to be cultivated, and promises to succeed well. It is the finest country for wheat I have ever seen. Fifty for one is about the average crop, with very imperfect cultivation. One hundred fold is not uncommon; and even one hundred and fifty has been produced. Maize grows tolerably well, but not equal to some parts of the United States. Hemp, flax and tobacco have been cultivated on a small scale, and succeed well. The rearing of cattle is at present the principal pursuit of the inhabitants, and the most profitable. As a pastoral country, California is unsurpassed, and perhaps unequalled in the world. The pasturage is most abundant and of very excellent quality. No less than seven kinds of clover are indigenous here, and four of them are unknown in the United States. Oats grow spontaneously all over the coast throughout its whole extent. In one place near the river Merced, a little barley was accidently scattered by a traveller, and it has continued to reproduce itself for fifteen years. I have known five successive crops of wheat in as many years from only one sowing. All kinds of grasses as well as the *cereal gramina* produce an uncommon quantity of seed, and this is probably the reason why cattle do not reach their greatest degree of fatness until about a month after the grass is dry.

"If these desultory remarks on some of the topics relative to this country should be found to contain interest for your readers, at some future time you may expect to hear something on the commerce of the country, its great mineral wealth, its political history, (a most fruitful theme) and of the manners and customs of its inhabitants, from one of your fellow-citizens who has been here more than ten years, and has taken some pains to become acquainted with the country he has selected for his home. "ESSEX.

"SAN FRANCISCO, Upper California,
February, 1846."

The Doctor then follows with a description of the Valley of San Joaquin:

"It appears to me, Messrs. Editors, that a corner of your small but valuable journal might be usefully devoted to a brief description of this noble valley, the first undoubtedly in California, and one of the most magnificent in the world. It is about five hundred miles long, with an average width of about fifty miles. It is bounded on the east by the great range of snowy mountains, and on the west by the low range, which in many places dwindles into insignificant hills, and has its northern terminus at the Straits of Carquinez, on the Bay of San Francisco, and its southern near the Colorado river. The river San Joaquin flows through the middle of the valley for about half of its extent, and thence diverges toward the eastern mountains in which it has its source. About sixty miles further south is the northern end of Buena Vista lake, which is about one hundred miles long and from ten to twenty wide. Still further south, and near the western side of the valley, is another and much smaller lake. The great lake receives about a dozen tributaries on its eastern side, which all rise in the great range of snowy mountains. Some of these streams flow through broad and fertile valleys within the mountain range, and from thence emerging irrigate the plain of the great valley for the distance of twenty or thirty miles. The largest of these streams is called by the Spanish inhabitants the River Reyes, and falls into the lake near its northern end. It is a well-timbered stream, and flows through a country of great fertility and beauty. The tributaries of the San Joaquin are all on the east side. On ascending the stream we first meet with the river of Stanislaus, a clear, rapid mountain stream, some forty or fifty yards wide, with a considerable depth of water in its lower portion. The Mormons have commenced a settlement called New Hope, and built some two or three houses near the mouth. There are considerable bodies of fertile land along the river, and the higher plains afford good pasturage. Ten miles higher up is the river of the Tawálomes. It is about the size of the Stanislaus, which it greatly resembles, except that the soil is somewhat better and that it particularly abounds with salmon. Some thirty miles further comes in the Merced, much the largest of the tributaries of the San Joaquin. The lands along and between the tributaries of the San Joaquin and the lake of Buena Vista is a fine pastoral region, with a good proportion of arable lands, and a very inviting field for emigrants. The whole of this region has been but imperfectly explored, but enough is known to make it certain that it is one of the most desirable regions on the continent. In the valleys of the rivers which come down from the great snowy mountains are vast bodies of pine and redwood or cedar timber, and the streams afford water power to any desirable amount. The whole country east of the San Joaquin,

and the water communication which connects it with the lakes, is considered by the best judges to be peculiarly adapted to culture of the vine, which must necessarily become one of the principal agricultural resources of California. AGRICOLA."

Dr. Marsh then follows with a history of early days in California. "After the decease of General Figueroa, the right to govern was assumed by Gutierrez, the senior officer of the military, and Estudillo, the oldest member of the Legislature, or *Primer vocal*, to whom it appertained as a matter of right by the civil law; but as might is apt to decide matters of right all over the world, and more particularly in Spanish America, and Gutierrez having some few soldiers, and being already in the capital, retained the command until the Spring of 1836. At this time a new Governor arrived from Mexico in the person of General D. Mariano Chico, member of the Mexican Congress, and with many long and magnificent titles. His first act was to issue a proclamation in most grandiloquent terms, greatly praising the docility and patriotism of the people of the country, and telling that they owed him a great debt of gratitude for having left his dear wife and beloved children, and taken so long a journey, from pure love of the people of California and his desire to serve them. He was the friend to Victoria, pursued the same outrageous course of conduct, and shared the same fate. He arrived fully determined to take vengeance on those individuals who had been chiefly instrumental in expelling Victoria. Like him, he chartered a vessel in which to send his opponents to Mexico, not omitting the American gentleman whom Victoria had attempted to send; and, to complete the parallel, he was himself compelled to leave the country in the same vessel he had designed for his adversaries. Gutierrez then assumed the command a second time. A few months after this event, Don J. B. Alvarado, who at that time held a subordinate employment in the Custom House, had a quarrel with the Commandant Gutierrez relative to the posting of a guard of soldiers on the beach, whether to assist or prevent the smuggling operations of a vessel in port is best known to the parties concerned. High words and mutual threats ensued. Alvarado went in the night to San Juan to consult his friend, José Castro, and the next day they both went to the pueblo of St. Joseph, and thence to Sonoma to confer with the officer in command of that post. They mutually agreed to expel Gutierrez, and all the Mexican *employés* of every class. They assembled in haste a few people from the neighboring farms and repaired to Monterey in a secret manner. In this promiscuous assemblage were about twenty or thirty foreigners; some five or six were American hunters. These were under the command of I. Graham, a hunter from Kentucky, and John Coppinger, an Irishman. They took possession of the old fort without opposition, and fired one shot at the presidio in which the Mexicans were.

Negotiations immediately took place, which ended in a capitulation of all the Mexicans, who were forthwith embarked for the coast of San Blas. The California patriots, who had succeeded beyond their own expectations, hardly knew what to do with their cheaply-bought victory. They however issued various contradictory proclamations, in one of which they declared themselves independent of Mexico until the re-establishment of the Federal Constitution of 1824. Alvarado was declared Governor, and Vallejo military chief. All this was done by the people of the northern part of the country, and particularly of Monterey, while all the southern districts were opposed to the new order of things. After a series of bloodless campaigns and paper battles, peace was restored by giving ample spoils from the Missions to the principal aspirants. Mexico, in the meantime, fulminated furious proclamations and awful threats against such unnatural sons of the Republic.

"After Alvarado had enjoyed his usurped authority about a year, he was acknowledged as legitimate Governor by Mexico; and he, himself, with the greatest facility, swore fealty to the Central Government. The administration of Alvarado, as the only one in which the government has been for any length of time in the hands of a native, for its long duration and for the important events which took place under it, must be considered as the most important era in the Mexican domination over California. It has now been for some time terminated, and has become a portion of the history of the country, and as such has become a legitimate subject for discussion. Taken, as a whole, it must be regarded as an entire failure. It has entirely failed to accomplish any part of the good it promised at the outset, and has only served to perpetuate the evils it proposed to remove. The friends of good order and a just administration of the laws, of whom, notwithstanding appearances, the number has always been considerable, had great hopes of seeing better times at the commencement of Alvarado's government. His constant declaration was: 'let me have a little time to tranquilize the country, and I will provide for the strict enforcement of the laws and the punishment of crimes and offenses.' But, after being in office more than five years, he left things in a worse condition than he found them. Even if we give him credit for good intentions at the beginning, he has never had the necessary knowledge, intelligence, or firmness of purpose, to have done any good for the country. The whole period of his administration has been a perpetual struggle to maintain himself in office. He has been compelled to make every kind of concession to preserve even the ostensible support of pretended friends. The wealth of the Missions, which, at the beginning of his administration was very considerable, has, in this way, been completely exhausted. All these, together with the

revenue derived from the customs, amounting in the aggregate to a vast sum, have been lavished on his relatives, partisans and favorites, and, at last, when he had nothing more to give, he found himself deserted. The most prominent event in the administration of Alvarado, and the one that will be longest remembered, is his attempt to expel, by force, all the foreigners, and particularly Americans, from the country. The true motives which led to this step were, for a long time, and still are, to some extent, involved in obscurity. The facts, as far as could be known at the time, are briefly these: It was secretly determined by Governor Alvarado and his friend and *compadre*, Don José Castro, that they would seize and transport to Mexico all the foreigners, and particularly Americans, that were in California, and, as a pretext, they pretended that they had discovered a secret conspiracy of the foreign residents to kill the Governor, Military Commandant, and some others, and to possess themselves of the country. This was so manifestly false, that no person could be made to believe it after the first few days. One solution of the affair is, that as Castro was at bitter enmity with Vallejo, the Military Commander, and desired to supplant him in his office, and knowing, at the same time, that public opinion in Mexico at the time was highly exasperated against Americans, on account of the recent defeat and disaster of the Mexican arms in Texas, and that he, by feigning the conspiracy of the Americans in California, and capturing and carrying them prisoners to Mexico, would thereby acquire to himself great merit with the Government, and by that means obtain the office to which he aspired. This opinion derived additional probabilities at the time from a knowledge of the character of Castro; artful, subtile, intrigueing, utterly unprincipled, and grossly ignorant. The project, however, was concerted and executed with considerable skill.

"At an appointed time, the foreigners, who lived widely dispersed in almost every part of the country, entirely unprepared and without the least apprehension of danger, were seized and marched to Monterey by night, strongly guarded. Mr. Isaac Graham, who has been heretofore mentioned, was captured by Castro himself, with his own chosen followers. The house was attacked at midnight, the door forced open, and a volley of fire-arms discharged at Graham and his partner, Nale, before they had left their beds. Nale received two severe wounds, and was left for dead. Graham was knocked down, severely beaten, bound and carried to Monterey, where he was heavily ironed and strictly guarded. For the next week, more or less men were daily brought in loaded with irons and thrust into a loathsome prison, which was so crowded that space was not left to lie down. At last the ship arrived which had been chartered to transport them, and they were marched on board like criminals,

between two files of soldiers. Graham, alone, was not suffered to walk, but with his irons still upon him, was carried on board on the shoulders of Indians. The brutal treatment of these men on the voyage to San Blas, and on the route from that port to the city of Tepic, I shall not attempt to describe, as I have no desire to stir up feelings that may as well be left at rest, but it may well be believed that feelings were excited, aye, deep and burning feelings, that will not be soon forgotten by the witnesses, as well as the victims of these horrible acts of cruelty and injustice. On the arrival at Tepic, they were taken from the hands of Castro and his myrmidons by the influence of the British Consul, and, although still prisoners, were treated with kindness. After a long detention, during which several of the number died, by the strenuous interposition of the British Minister in Mexico, they were finally liberated, and those who chose to return to California, were sent back at the expense of the Government. From some documents, which have but very recently come to light, it is rendered probable, and, in fact, almost certain, that the foreigners were seized and sent away prisoners by the express order of the Government of Mexico, which they were afterwards base enough to deny."

The following description of the estate and residence of Dr. Marsh appeared in the *Daily Evening Bulletin* of July 19, 1856, and will appropriately conclude this short sketch of Contra Costa's earliest pioneer. The "Stone House" is still one of the wonders of the county, and is well worthy the attention of the visitor.

"This beautiful and extensive estate has a landing on the San Joaquin river, above New York of the Pacific. This point, distant about eight miles from the dwelling house, would furnish the nearest route to it, but that as yet the steamers, which pass by daily, do not regularly stop, as they will no doubt do at some future time. The visitor will, therefore, find it advisable to stop at the excellent Morgan House, in the very pretty town of Martinez, over night, and taking a buggy at an early hour in the morning, proceed across the extensive plain which forms a part of the celebrated cattle ranch of Pacheco, to the Coast Range of mountains. Making his way through Kirker's Pass, a beautiful and romantic break among the hills, he will come out upon an extensive valley, in the upper part of which, eight miles from the San Joaquin river, and as many from Mount Diablo, whose bald scalp, covered for a portion of the year with its night-cap of snow, forms so picturesque a feature in the line of the horizon, as seen from the city, he will discover the old adobe house, which, for twenty years past, has sheltered a man of great intelligence, of varied accomplishments, of singular experiences of life, a graduate of Harvard University, a member of the medical profession; who, retiring

from the roar and bustle of the great world, seemed to realize the aspiration of the poet, when he said or sung—

> "'Climb at court for me that will—
> Tottering favour's pinnacle;
> All I seek is to lie still.
> Settled in some secret nest,
> In calm leisure let me rest,
> And far off the public stage
> Pass away my silent age.
> Thus, when, without noise, unknown,
> I have lived out all my space,
> I shall die, without a groan,
> An old, honest countryman.'

"But the march of adventure has found him out in his solitude, has surrounded him with his eager countrymen, and, true to his instincts, he has conformed to circumstances, become again a man of the world, and is pushing along on the road to riches, and hastening to improve and beautify his estate. In rear of the old adobe flows, peacefully, a broad brook, bordered by oaks and alders. Across the valley, in rear of the new house, stretches a noble grove of oaks, through which vistas have been cut, affording glimpses of the broken country beyond, closed in by old Mount Diablo and his giant companions. Between the grove and the house is a vineyard filled with young and thrifty vines of the finest varieties of grapes, together with fig, almond, apple, pear and plum trees. In rear of the adobe is another extensive vineyard. The two vineyards will probably yield this year twenty tons of grapes. Though much of the Rancho is admirably adapted to cultivation, its proprietor has preferred to devote it to the purpose of raising cattle. The stock of cattle at present upon the place is six thousand, and the annual increase is estimated at fifteen hundred. Much attention has been bestowed upon the improvement of the breed of cattle and horses, and the proprietor may well be proud of the possession of one of the finest stud-horses in California—a descendant of the famous Tennessee horse, Shakespeare. The new and beautiful edifice, now nearly completed, is situated in the center of the plain. It is the intention of the proprietor to irrigate this plain by artificial means, using the water of the brook for that purpose. By this process the whole plain in front of the house may be enameled with flowers, or, in process of time, may be dotted with trees, and become an extensive and beautiful park, as the taste of the owner may determine. From a quarry which has been opened upon the estate, an abundant supply of stone for the building has been obtained. It is of the finest quality of free-stone, of a beautiful drab or cream-color, slightly variegated. The building is quite an architectural gem. The architect, Thomas Boyd, Esq., of this city, with a true artistic perception of the beauty of the site, and of what was wanted in the building to make it

A. Schringer.

harmonize with the surrounding scenery, has departed from the stereotyped square box with a piazza running partly or entirely round it, called a house in California, and has adopted the old English domestic style of architecture—a pleasing and appropriate union of Manor House and Castle. The arched windows, the peaked roofs and gables, the projecting eaves, the central tower sixty-five feet in height, boldly springing from the midst and enabling the proprietor to overlook his extensive domain, must be acknowledged by every visitor to be a most felicitous deviation from the prevailing style of rural architecture. The material used is as easily wrought as the Benicia stone in use here, and like it, hardens by exposure to the air. The corners of the building as well as the door and window-jams, sills and caps, are elaborately wrought, the spaces between the openings being laid with rubber-stone, giving a pleasing variety to the whole exterior. The building has a ground base of sixty by forty feet, and is three stories in height, with three gable windows in the attic looking east, west and south. On three sides of the building is a piazza, ten feet in width, supported by beautiful octagon pillars; over this is a walk on a level with the second floor, enclosed by an elaborately finished balustrade. The work has been performed in the most skillful manner by Messrs. Pierce and Wood of this city, the contractors for it. The whole has evidently been designed with the utmost faithfulness and ability. The interior arrangements are as carefully planned as possible to subserve the purposes of convenience, comfort and beautiful finish. The whole cost of the building, it is understood, will not exceed twenty thousand dollars."

Dr. Marsh was married in California, June 24, 1851, to Miss Abbie Tuck, of Chelmsford, Massachusetts. This lady left her home in 1850, and hazarded the dangers and hardships of a voyage to California, which were then not few nor small, and settled in Santa Clara. Meeting the Doctor while traveling in Contra Costa county, they decided to unite their fortunes, and were married after an acquaintance of two weeks. She died before the Doctor, leaving one daughter, Alice, now the wife of W. W. Camron of Oakland, Alameda county.

VICENTE J. MARTINEZ.—This scion of one of the very earliest settlers of Contra Costa county, is the son of Ignacio and Martina (Areyanes) Martinez, and was born in Santa Barbara, California, August 8, 1818. When but one year old, he was taken by his father, who was captain in the militia, to the Presidio at San Francisco, where he resided until the year 1832, when they moved to the Pueblo de San José de Guadalupe. After four years' residence there, in 1836, his father having been granted the Pinole Rancho, in Contra Costa county, our subject proceeded thither, and remained until 1849, in which year he removed to

the town which now bears his name, and at that time built the adobe house now owned by Dr. Strentzel. Here he resided two years, when he returned to Pinole, and there resided until 1882, when he came back to Martinez where he is now living with his sons. Married at Mission San José, firstly, Guadalupe Moraga, a native of California, one of the family from which the Moraga valley takes its name; secondly, Neves Soto, a native of California, in 1848. He has seven surviving children, viz: Francisco, Vicente, Guadalupe, Antonio, Ignacio, Henricka, Louisa.

ANTONIO M. MARTINEZ.—The subject of this sketch, a descendant of one of the oldest families of Contra Costa county, and a native of the town that bears his family name, is the son of the above Vicente and Neves (Soto) Martinez. He was born March 28, 1857. At the age of twenty years, Antonio started to learn his present profession in his brother's shop in San Francisco, remaining there one year; he then returned to his native town and worked one year for Joseph Segui, and in 1879 opened his present tonsorial shop, in which he still continues in company with his brother. Was united in marriage in Concord, September 23, 1877 to Miss Mary A. Worden, a native of Lower California, by which union they have three children; their names are: Robert, born July 30, 1878; Mercy, born November 16, 1879; Adela, born May 4, 1881.

COL. WILLIAM BYRD MAY.—The subject of this sketch, whose portrait appears in this volume, is the son of Thomas and Rebecca (Adams) May, and was born in Dickson county, Tennessee, October 30, 1819. In the Fall of 1833, he accompanied his parents to Arkansas, and settled in Polk, now Johnson county, and there resided until 1850, having, during the time, received the advantage of a common school education, besides being employed on his father's farm. In the month of February of the year just mentioned, our subject made his way to New Orleans, and thence by way of the Isthmus and Chagres river, to the Land of Gold, arriving in San Francisco, May 5, 1850. The Colonel immediately proceeded to the mines at Foster's Bar, on the Yuba river, where, during the Summer, he prosecuted mining with fair results. In the Fall of 1850, he moved to Sacramento, and commenced a grocery and provision business, which he conducted until the Fall of 1852, when he closed out and transferred his residence to Weaverville, Trinity county, and once more embarked in mining operations, which he continued until the Fall of 1853, when he was elected Senator from the Twelfth Senatorial District, then comprising the counties of Trinity, Humboldt, Siskiyou and Klamath. Col. May served during the sessions of 1854–55. In the latter year he located in Contra Costa county, on his present place, and commenced farming and stock-raising on his ranch, comprising some five hundred acres. It may be mentioned that the style of "Colonel," is by no means the usually

empty one vicariously adopted by so many would-be heroes. Our subject served with the Arkansas Regiment, under Col. Yell, in 1846, and fleshed his maiden sword in Mexico, being present with his corps at Buena Vista and other engagements. He has now settled down to the life of a farmer. It can be truthfully said of him that he has ever regarded toil as manly and ennobling, while, it is pleasant to contemplate that after passing through an honorable, yet checkered life, he is now enjoying the comforts of a happy home, with the wife of his choice, both beloved by their children and friends. Col. May married firstly, in 1839, Sarah Perry, by whom he has one surviving child, Sarah Alice. He married secondly, in 1852, Mary E. Perry, widow of William H. Inskeep, and has: Virginia L., Hattie Eva and Edward Frederick.

WILLIAM MEESE.—Born in Stark county, Ohio, August 16, 1824. When seven years of age his parents moved to Summit county, same State, and located on a farm, where our subject was educated at the common schools, afterward learned the cooper's trade, and for two years preceding his coming to this State, followed boating on the canal. March 18, 1850, he, in company with eight others — R. O. Baldwin, of this county, being one of the party—started for the New Dorado, with pack-mules, and arrived at Cold Springs July 28, 1850, where he embarked in mining for a short time. He then visited several mining camps, and finally located in Mariposa county, where he spent his second Californian Winter. In the following Spring, Mr. Meese returned to the mines, where he continued until 1852. In the Fall of that he year came to Contra Costa county, and located on the place where we now find him, in the beautiful San Ramon valley, at that time buying three hundred and twenty acres in company with R. O. Baldwin. The first produce Mr. Meese raised was one acre of onions, off which he gathered a crop of fourteen thousand pounds. In 1855 our subject and the above-named gentleman divided their ranch—the first-named taking the south one-quarter section on which he resides, but has since added to his estate, until now he owns three hundred acres of Contra Costa's best farming lands, being engaged in general farming. He has been twice married, first, in San Ramon valley, March 27, 1855, to Miss Panthea L. Cox, a native of Indiana; she died, in San Ramon, September 26, 1874. By this union they had two children—Mary M. (died July 8, 1876), and Nellie F., born December 12, 1871. Married the second time, in Sycamore valley, August 16, 1876, to Mrs. Olive A. Porter, a native of Michigan, by which union they have two children—George M., born July 4, 1878, and William R. G., born December 29, 1881.

C. ED. MILLER.—The present efficient County Recorder of Contra Costa county is a native of Port Washington, Ozaukee county, Wisconsin, and

was born April 5, 1853. When but an infant his parents moved to Milwaukee, and there resided for two years, moving again and locating in West Bend, Washington county, where they now reside. Here our subject received a common school education, and afterward entered the Racine College, of Racine, where he finished his education in 1867. Mr. Miller then entered the employ of a wholesale dry goods firm of Milwaukee, where he remained some six years. In October, 1873, he started for California, *via* Union and Central Pacific Railroad, and after a short sojourn in Oakland, came direct to Contra Costa county, and first located in Walnut Creek, where he remained until the latter part of 1875. Then, after a brief period spent in mining, he came to Martinez and embarked in the grocery business, in which he continued until February, 1876. He then was appointed by V. B. Russell to the functions of Deputy County Recorder, a situation he held until the Fall of 1877, when he was elected to the position of County Recorder—being, in September, 1879, re-elected to the same office, which he now fills with satisfaction to his constituents and credit to himself. The subject of our memoir was united in marriage in Martinez, April 22, 1876, to Miss Rosa Lawless, a native of the latter-named place, by which union they have one daughter, Martha W., born February 25, 1877.

RICHARD MILLS.—A native of Lancashire, England, and born in 1824. He resided in his native county until twenty-eight years of age. He then emigrated to America, and engaged in mining in the coal-fields of Pennsylvania, remaining there until 1853. He next came to California and followed gold mining until ten years later, when he came to Contra Costa county, locating at the coal mines of Somersville in the Spring of 1863, where he has since resided, engaged in mining until recently, when he started his present business. Mr. Mills has been twice married, and has three living children and four step-children. The names of his own are: Richard, James (deceased), Sarah A., and John; his step-children are: Oweny, Patrick, Ellen and Kate McVery.

JOHN S. MOORE, D. D. S.—The subject of this sketch is a native of North Carolina, born in Guilford county, June 1, 1832. At about twelve years of age he was sent to Shady Grove academy, in the adjoining county of Rockingham, where he received his education. He taught school one year in North Carolina, two years in Virginia, and one year in Texas. On his return from Texas to North Carolina, in 1855, he decided to adopt dentistry as his profession, R. D. Hay, M. D., D. D. S., becoming his preceptor, and our subject graduated in his profession in the Winter of 1859–60 in the Baltimore College of Dental Surgery. He continued in his practice in Madison, Rockingham county, North Carolina, until the Spring of 1868, when he moved west, and located in Pleasant

Hill, Missouri, and there secured and maintained a good practice for nine years, until the Spring of 1877, when he came to California, stopping the first year at Danville, Contra Costa county, when he decided to locate permanently at Martinez. He has here secured a good practice, and enjoys the esteem and confidence of the community in which he lives. Our subject was united in marriage in Madison, North Carolina, July 10, 1855, to Miss Emma R. Martin, by which union they have three surviving children: W. A. (a dentist in Benicia), J. S. and Emma Lanier.

JOHN S. MOORE.—Born in Waterloo, Monroe county, Illinois, April 15, 1828, and there resided on a farm until his coming to California. In March, 1849, he, in company with a few others, left his birthplace to cross the plains and seek his fortune in the gold fields of the Pacific Coast. After a rather pleasant trip of six months, he arrived in Marysville, when he immediately proceeded to the mines, and embarked in mining for a few months; then he came to Benicia, where he spent the Winter, and in the following Spring returned to the mines, where he remained until the Winter of 1852, when he returned to Illinois *via* Panama. In the Spring of 1853, Mr. Moore again started with ox-teams to cross the plains, and on his second arrival in this State located at Centerville, Alameda county, engaged in farming, and there remained until 1860. He then came to Contra Costa county and farmed three years on the Harlan ranch. The next seven years were spent in the mines of Idaho, when he returned to Alameda county and to Pleasanton, where he ran a livery stable for three years, then returned to San Francisco. After three years passed in San Francisco, he again returned to this county and engaged in hotel keeping, as proprietor of the Eagle Hotel at Pacheco for three years. Our subject again moved to San Francisco, and thence to Oakland, where he resided until October, 1881, when he purchased his present property, the well-known Lafayette Hotel, and a more genial landlord is not to be found in Contra Costa county. Mr. Moore was united in marriage, in Sacramento, January 31, 1855, to Miss Alvarado T. Pugh. By this union they have four living children; their names are: Horace E., born in Centerville, August 1, 1856; Ida Z. (now Mrs. Miller,) born in Centerville, February 1, 1858; Flora R. (now Mrs. M. Shreve,) born in Sacramento, August 5, 1861, and John Milton, born in Oakland, Christmas day, 1881.

JEREMIAH MORGAN.—The subject of this sketch, whose portrait appears in this work, was born in the Cherokee Nation, on the banks of the Tennessee river, Alabama, June 8, 1818, and resided in that State until he attained the age of nine years, when he moved with his parents to Jefferson county, Illinois. After a residence of two years in that county, he moved to Clinton county, in the same State, where he dwelt six years

Now he transferred his dwelling to Iowa county, Wisconsin, for one Summer, spending the following Winter in Illinois at his home. Mr. Morgan, after this, proceeded to Wright county, Missouri, where he followed farming until the month of February, 1864, when he married and went south to Texas; but that State not being suited to his taste, he returned to Missouri, and a year later found him in Wisconsin, where, only remaining a short time, in the Fall of 1838, he moved to Jackson county, Iowa, where he abode until starting for the Pacific Coast. In March, 1849, Mr. Morgan and six companions fitted out a wagon, and, with ox-teams, crossed the plains to California, the journey occupying six months and one day. Arriving at Bidwell's Bar, on the Feather river, he commenced mining operations, which he followed until September, 1850, and on October 5th, sailed from San Francisco *via* Panama, for his home in Iowa. There he remained until April, 1853, when he once more undertook the overland journey to the Golden State, accompanied by his family, and, coming direct to Contra Costa county, located in the Ygnacio valley, on the land now occupied by ex-Sheriff John F. S. Smith, where he built unto himself a small dwelling. In a hunting expedition over the slopes of Mount Diablo, in 1856, he discovered the tract of land now known as Morgan Territory, which he claimed and fenced, and whither he moved in 1857, the tract comprising about ten thousand acres, which, however, after survey, was cut down to two thousand acres. Here he has resided ever since. Besides this possession, Mr. Morgan owns four acres of land near Pacheco, ten acres in the vicinity of Concord, and three hundred and twenty acres in the "Stone House" district. The Concord ten acres he uses for raising carp. He has also two artesian wells, nine lots in the town of Concord, slaughter-house, barns, and other improvements, while his land lying at the foot of Mount Diablo, he uses with advantage as a stock-raising range. Mr. Morgan has been twice married; firstly, in Wright county, Missouri, to Miss Sarah Ellis, in 1834, a native of that State, who died in Morgan Territory, Contra Costa county, March 17, 1869. By this union he had sixteen children, only six of whom survive, viz: William, Elizabeth, Joseph, Benjamin, Isaac, Josephine. Married, secondly, at Clayton, Contra Costa county, December 3, 1869, Mrs. Louisa Coan, *née* Riggs, a native of Kentucky, by whom there was one son, named Jesse.

MORGAN MORGANS.—This early pioneer of California and veteran miner, is a native of South Wales, and was born June 17, 1830, where he resided until sixteen, when he, with his parents, emigrated to the United States, and located in Belmont, Schuylkill, county, Pennsylvania, and followed mining in the coal fields of that place. In the Spring of 1855, Mr. Morgans started for the Pacific Coast *via* New York and Panama, and on

arrival in this State proceeded to Amador county, where he engaged in quartz mining, and subsequently was appointed foreman of the Haywood mine, on Sutter creek; six months later he was appointed Superintendent of the same, a position he held for thirteen years. Then on the change of ownership of the mine Mr. Morgans gave up his position, and came to this county in the Summer of 1868. He immediately took charge of the Black Diamond coal mine, of Nortonville, as superintendent, a position he has now filled for fourteen years, and is still the present manager, enjoying alike the confidence and esteem of the company and those under his charge. Mr. Morgans was married in Pottsville, Pennsylvania, October 22, 1853, to Miss Sarah Mason, a native of that State. By this union they have six children living, as follows: Margaret S. (now Mrs. Philipps), Morgan P., Lizzie A., Walter R., Sadie L., and John Garfield. The latter was born on the day our illustrious President was shot.

THOMAS MURPHY.—This much respected citizen of Township Number Five is a native of County Cavan, Ireland, born March 24, 1830. When but five years of age his parents left him with an uncle while they emigrated to America, where our subject joined them two years later in New York, and resided in that State for five years. He then, with his parents, moved to Connecticut, where Mr. Murphy was educated at the common schools, and resided on a farm until June, 1856, when he started, *via* Panama, for the Golden State, with the intention of returning in one year, but liking the climate and resources of the State so well, concluded to make it his future home; he therefore sent for his wife and family, and on their joining him, located in Napa valley, and followed farming until 1867, when he moved to his present place, bought one hundred and sixty acres two miles northeast of Brentwood, and in 1873, purchased eleven hundred acres in Round valley, and is now one of the substantial farmers of Contra Costa county. Married in Mystic, Connecticut, to Miss Alice Ross; they have five children living: William H., James T., Annie L., Alice, and Hattie. A portrait of Mr. Murphy will be found in this work.

A. P. NELSON.—Born in Sweden May 4, 1846, and is the son of G. and Anna (Peterson) Nelson. Up to the age of twelve years he attended school, and at that period was apprenticed to the shoemaker's trade, in Calmar, for five years. At the end of his probation he commenced journeyman work, and followed it until 1867, when he began business for himself in Calmar and Stockholm, which he continued until 1872, in which year he emigrated to the United States; first settled in Kansas City, Jackson county, Missouri, and in September, 1875, came to Martinez, Contra Costa county, and commenced business. Married September 2,

1875, Sophia Johnson, a native of Sweden, and has two children: Conrad, born September 16, 1876; Anna Therese, born May 1, 1878.

SOLOMON NEWBERGER.—This well-known merchant of Martinez is a native of Rodalben, Bavaria; was born in April, 1829, and resided in his birthplace until twenty-one years of age. He then emigrated to America, first landing in New Orleans, engaged in merchandising there, and remained some four years. March 9, 1854, Mr. Newberger started, *via* the Nicaragua route, for California, arriving in San Francisco April 2d of the same year. Our subject came immediately to Contra Costa county and began merchandising; he afterwards served as clerk for E. Lasar for six years. In 1872, he formed a copartnership with A. L. Gartley, and opened their present general merchandise store, located on Ferry street, Martinez, under the firm name of Newberger & Gartley. Was married in San Francisco July 14, 1872, and has three children: Carrie, Blanche and Rosie.

WILLIAM NEWMAN.—This old pioneer of California was born in Roxbury, Massachusetts, November 5, 1808, and in that city learned the painter's trade. When twenty-one years of age he moved to Lowell, the same State, there followed his trade and resided until his coming to the Pacific Coast, which event occurred in August, 1851, arriving by steamer *via* the Nicaragua route. On landing in this State, Mr. Newman, after spending a short time in San Francisco, proceeded to Stockton, and thence to the mines at Angel's Camp, where he remained but a little while, when he again returned to Stockton, where he found employment at his trade. His wife being sick, September, 1853, he started *via* Panama to visit his old home at the East, where, in a short time after his arrival, his wife died, when he again returned to this coast, bringing with him his only son, and located in San Francisco. In March, 1859, Mr. Newman came to this county, and purchased his present property of one hundred and sixty acres, adjoining the town limits of Antioch. Mr. Newman was united in marriage in Lowell, in 1835, to Miss Emily Morrison; by this union they had one son, now residing with the subject of our sketch.

JOHN NICHOLL.—This gentleman, whose portrait will be found in this work, is the son of Hugh and Mary (Aiken) Nicholl, and was born in County Antrim, Ireland, in 1822. There he resided until 1849, in which year he emigrated to the United States, and first settled in New York, where he engaged as a laborer. In January, 1854, he came to California, sailing from New York in the steamer *George Law* to the Isthmus of Panama, and thence in the *John L. Stephens* to San Francisco, where he arrived February 16th. In company with his wife he first found employment for a year on a farm in Alameda county; then he purchased the interest of a squatter on the Peralta Rancho, near San Lorenzo creek,

where he farmed for two years; finally, in the Fall of 1857, moving to his present ranch, near San Pablo, which comprises two hundred acres. Besides this, Mr. Nicholl owns nine hundred and thirty-seven acres of land in San Buenaventura county, the Nicholl's Block in the city of Oakland, Alameda county, and a title to four hundred acres more near his present residence. Thus in this gentleman's life we see exemplified the reward of honest labor and unswerving honesty; add to these that he has made a pleasant home for his mother, now nearly ninety years of age, and we find that Mr. Nicholl possesses that goodness of heart and right feeling which is always prone to benefit a community. He married, November 11, 1853, in New York, Agnes B. Hodge, a native of Ireland, and has: Janetta, John H., Mazie E., Ruth A., Joseph L., Agnes B., Lulu G., Hester H. and Willie B.

HOWARD NICHOLS. — This old and respected pioneer was born in Plymouth, Massachusetts, February 11, 1799, where he resided for the first eighteen years of his life. In the year 1819 he moved to New Bedford, in the same State, there opened one of the best appointed blacksmith shops then extant in the country, afterwards opened a brass foundry, and there resided until he came to the Pacific Coast. In September, 1849, he sailed, *via* Cape Horn, for California, in the ship *Oscar*, of which he was part owner, and on arrival, first, in the Spring of 1850, settled in the then thriving little town of New York of the Pacific. Here he found a considerable business, and several hotels. He here purchased the ship *Mount Vernon*, turned her into a receiving ship, alongside of which the steamers took on board and discharged freight and passengers. Having purchased the contents of the Kennebec House, Captain Nichols fitted up the *Mount Vernon* as a boarding-house, in 1851, when, by putting too much wood on one side, the hulk heeled over, but she was afterwards righted, and continued as a place to dwell in for some time. Having purchased some damaged barley and dried it, with the proceeds from this, and the increase of some hogs he had bought, he acquired his present ranch at the foot of Mount Diablo, in 1852, where he has resided ever since, being engaged in farming and grape culture. His wife arrived here in 1855. In his house was the first Congregational church in the district established. The Captain, now in his eighty-fourth year, is in the enjoyment of good health, with his memory unimpaired, and with every promise of many years before him. He married, firstly, in Plymouth, Massachusetts, in the year 1821, Susan Clarke, a native of that place, who died August 1, 1837. By this union there were five children; only two of them are now living, Seth (now dwelling with his father) and Susan (now Mrs. Ruggles, of New Bedford). Married, secondly, Sarah Clarke, a sister of his first wife, by whom he had one son, who is now dead.

LEO NORRIS.—The son of John and Barbara (Moore) Norris, was born in Nelson county, Kentucky, March 3, 1804, and there received his education, farmed, and for five years worked in a distillery. When twenty-six years old, he moved to Morgan county, Illinois, where he resided seven years. He next moved to St. Louis, and then up the Missouri river, to where is now the town of Weston, being there engaged in farming. In the year 1840, Mr. Norris went to Atchison county, Missouri, where he remained farming until his start for California. In May, 1846, in company, with his family, traveling with fifty wagons, our subject, commenced the journey to the far-away Pacific shores, and after a weary voyage of six months, on October 4th, arrived where Sacramento now stands, the march being continued to the mission at Santa Clara. In June, 1847, he moved to mission San José, where he dwelt until the Fall of 1850, when he settled on the property he now owns, consisting of one league of land in San Ramon valley. Married in Nelson county, Kentucky, July 21, 1829, Miss Jane Kizzie, a native of Kentucky, who died March, 1855. By this union there are five surviving children, viz: William H., Mary, (now Mrs. Lynch,) Annie, (now Mrs. Perkins,) James and Emily, (now Mrs. Lewelling.)

WILLIAM H. NORRIS.—The son of Leo and Mary J. Norris, was born in Morgan county, Illinois, July 6, 1832, and is now in his fifty-first year. When seven years of age his parents moved to Platte county, Missouri, where they resided for three years, and then moved to Atchison county, same State, where they remained until their coming to this State. May 10, 1846, he with his parents joined a company that consisted of some thirty persons, and with ox-teams started to cross the plains to California. After a weary trip of five months they arrived at Johnson's ranch on Bear river, a place well known to all the early Californians, October 13th of the same year. Staying but a short time, they proceeded to the Mission San José, where his father engaged in the general merchandise trade, in which he continued until June, 1850; he then with his parents came to Contra Costa county, and located on their present place, where our subject now resides. Mr. Norris was united in marriage in San Francisco, January 8, 1860, to Miss Margaret, a daughter of Thomas Nash, and a native of Lower Canada. By this union they have four children: Leo, born November 29, 1860; Thomas, born December 30, 1862; Henry, born September 14, 1864, died August 19, 1881; George, born February 3, 1867, and Mary, born November 21, 1869.

NOAH NORTON, (deceased).—Was born at Norton Hill, Greene county, New York, April 7, 1786, and as a young man, commenced his career as a boatman on the Hudson river. He married early, and removed to the

Henry Blume

shore of Lake Ontario. At that time a considerable contraband traffic was maintained upon the lake border, and the subject of our sketch, as an officer of the Government, gained quite a distinction for efficiency in the detection and capture of smugglers. On the outbreak of the war of 1812, he was one of the earliest to respond to the call of his country for volunteers. He served as Lieutenant throughout the war, but was in command of a company at the battle of Lundy's Lane, where his conspicuous gallantry attracted the favorable notice of General Scott. After peace was declared, Mr. Norton removed with his family to the then wild territory of Michigan, and was the first settler in what is now the town of Adrian, where, subject to constant peril from Indian raids, he established his home. Afterwards, with the increase of population, he engaged in and carried on the business of brick-making for some years. Subsequently, while traveling in the southwestern States, he was taken down at New Orleans with the yellow fever, which carried him almost to the door of death. The excitement incident to the outbreak of the Mexican war was at its height on his recovery, and his patriotic impulses led him to volunteer as a soldier. Failing to hear from him for many months, his family were led to fear his death, but during the greater part of the war he was employed by General Scott upon secret service, and after the close returned home, to the great astonishment of his family, who had long supposed him dead. His children had grown up during his absence, and with the exception of the youngest, had all married. After a short time spent at home, he engaged successfully in gathering specimens and objects of interest for a museum in Pensacola, Florida. Subsequently, he gathered an interesting collection, and established a museum of his own at Adrian, the place of his residence. On the discovery of gold in California, he became infected with the gold fever, and after disposing of his museum, joined a train fitting out to cross the plains, and journeyed with it to Salt Lake, where the company laid over for the Winter. In the Spring, Norton, with a portion of the company, took the southern route, and were the first of the immigrants who arrived at Los Angeles in 1850. Having discovered a prospect of gold in crossing the desert on the way to Los Angeles, Norton, and some others of the party, after remaining a while at that place, resolved to return and test the value of their discovery. While the party were at work one day, in their mine, Indians visited their camp and carried off all their provisions, except a small sack of flour, obliging them to abandon their working, and make their way back to Los Angeles, with no subsistence for the long desert journey but the scanty measure of flour. For some years the subject of our sketch remained at Los Angeles, engaged in farming. He then went back to Michigan. Soon after his return his wife died. After marrying a second time, he returned to California and engaged in the work of

prospecting for coal, that resulted in the discovery of the famous Black Diamond vein in Contra Costa county. Mr. Norton was in all respects a remarkable man, combining wonderful intrepidity and energy with an acuteness of thought, and an indomitable will, equal to any emergency. His bodily vigor allowed him frequently during the last year of his life, to walk a distance of ten miles. He was a great reader, particularly fond of studying history, and always well-informed upon the affairs of the time. He was in all respects, an intelligent, energetic and honorable man, whose name should not be suffered to fall into oblivion. The thriving little town of Nortonville takes its name from this gentleman. He died in Oakland in the year 1871.

COMMODORE B. NOTTINGHAM.—A native of Lexington, La Fayette county, Missouri, born September 28, 1826. Residing in his birthplace until six years of age, his parents then moved to Jackson county, same State, where he attended school and dwelt until 1843, and in that county learned the trade of blacksmith. At the age of seventeen years he left his home, went to New Mexico, and was there employed by the Government as teamster in hauling material to build the different forts on the frontier. Was engaged there in the capacity of driving teams from Fort Leavenworth to Santa Fé until 1848, when he returned to his old home in Missouri. May 9, 1850, he started from his native place to cross the plains to Oregon, arriving at his destination in October of the same year. Here he began traveling through that State, sometimes being employed at his trade, and again at herding, but finally brought up at Yreka, where he engaged in mining. October 8, 1851, he arrived in San Francisco per steamer, and from there went to Sacramento, where he sojourned a short time, when, after visiting several different places, he again returned to Sacramento, where he found employment in the Pacific Coffee Mills, and, after remaining there some time, went to San José, and there resided until July 4, 1855, after which he spent two years mining in Plumas county, and in the Fall of 1857 purchased his present place of one hundred and twenty-six acres, three miles from Walnut Creek, where he is now engaged in general farming. Was united in marriage in Contra Costa county, to Mrs. Boss, a native of Kentucky. By this union they have eight children living: Marietta, Jessie, George, Guy, Occie, Effie, Walter and Ernest.

MAJOR JOHN C. O'BRIEN.—The subject of this sketch, whose portrait appears in this work, was born in County Roscommon, Ireland, January 6, 1822. When about fourteen years of age, he, with his parents, emigrated to the United States, arriving in New York in the year 1836. In 1843 his father's family moved to Missouri, and there Mr. O'Brien engaged in farming as an overseer. In 1849, in company with thirty

more, he started from Lexington for the Golden State with a train of ten wagons, and arrived at Sacramento, July 29th, of the same year. Having sold his horses and wagons, he remained in Sacramento about two months, after which he purchased a wagon and six yoke of oxen, and went to Redding's diggings, and engaged in mining until February, 1850. Our subject then went to the Hudspeth ranch and bought some stock and took them to Sacramento, and soon after went to Trinity mines, and again prosecuted mining. In the Fall of the year he went to the Klamath river, again followed mining, but was compelled to abandon it on account of the snow. Returning to Sacramento he purchased some horses, and went to San José, and there he was engaged in farming and stock-raising. He also followed the business of brick-making, getting as much as fifty dollars per thousand, and afterwards sold out to James Lick for fifty thousand dollars. In the Fall of 1851, he returned to Missouri, and in 1853, purchasing a band of cattle, in company with William Wyatt, came back to this coast, and went direct to Contra Costa county, locating where Antioch now stands. There he engaged in stock-raising and afterwards farming, and with the exception of about seven years spent in San Joaquin county, our subject has resided there since. The Major is the owner of considerable real estate in the town where he dwells, as well as having a large amount of property in San Joaquin county. No man throughout the length and breadth of Contra Costa has done more to forward the interests of the county. When necessary he has never flinched from exposing existing evils; he is just in his dealings, true to his instincts, and honest in his convictions. He is genial in his manners, and no better friend or companion exists than Major John C. O'Brien. He has never aspired to any public office. Married Mary E. Howard, July 29, 1861, and has two children: Carrie and Philip.

FERNANDO PACHECO.—The subject of this narrative, whose portrait appears in this work, is the son of Don Salvio and J. (Flores) Pacheco, and was born in the Pueblo de San José de Guadalupe, May 30, 1818, where he resided until 1835, or until he attained the age of seventeen. At that time he came to settle in the Diablo valley, about three hundred yards southwest of Concord. He brought some cattle with him, and remained with them for some time during the year. In the year 1834, Don Salvio, the father of our subject, received the Grant of the Monte del Diablo Rancho, and settled near the site of the present village of Concord, where he resided until his death, August 6, 1876. In the year 1845, our subject brought his family to Contra Costa county, and here he resided until 1851, when he moved to his present residence, where he owns fifteen hundred acres of land, and is engaged in farming and stock-raising. Our subject has not held any public office, but his father had filled every

position of trust in the gift of the Mexican Government, save that of Governor; but the lack of public office is by no means a criterion of Mr. Pacheco's inability to assume such functions had he sought them; he is a man of much ability and shrewdness, generous in disposition, affable in manner, and possessed of natural accomplishments. Being of the enormous weight of three hundred and seventy pounds—in 1870 he turned the scales at four hundred and fifty—Mr. Pacheco is unable to move about as he would wish, yet his influence is felt, although absent in person, and there is no one to say a word against this son of one of the original settlers of Contra Costa. Of the doings on the Rancho in early times, we speak in our history of Township Number Three; to recognize the immense herds of those days, we refer the reader to that portion of our work; it is to his credit, be it remarked, that he still possesses so great a competency above his less fortunate contemporaries.

JOHN C. PETERSON.—Was born in Denmark, March 30, 1822, and resided there until 1843, during which time he received a common school education and served an apprenticeship to the blacksmith's trade. In the last-mentioned year he proceeded to the island of St. Thomas, one of the Danish possessions in the West Indies, where he resided four years and a half, when he came to America. Having landed in Tuckapo, Louisiana, he there hired as cook on board a vessel and worked his passage to New York City. Thence he found his way in turn to Boston, Pictou in Nova Scotia, Sayresport, Maine, then back to Boston, New York, and from there to Savannah and Charleston. In 1849, the month being January, he sailed from New York to California, by way of Cape Horn, in a craft of only eighty tons, and after a successful voyage, landed in San Francisco July 17th of the same year. But Mr. Peterson did not abandon the vessel in that harbor, for he further engaged himself on board, as cook, when she was put on the route between San Francisco and Stockton. In September he severed his connection with that boat and became cook at the saw-mill of McCann & Parker, at Saucelito, Marin county, where he remained until the Spring of 1850. He then, in partnership with some others, purchased a whale-boat and journeyed to Marysville, Yuba county, whence he went to the mines on the Yuba, there seeking the "yellow stuff" until the following Fall. We next find our subject mining at the Wyandotte Diggings, which field he left in the Spring of 1851 for Rich Bar, on the Feather river. Six months after he moved to Yreka, Siskiyou county, and after prospecting for some time, we find him in Shasta county. In the Fall of 1851, he mined on Clear creek, where he struck good diggings. His next *locale* was Weaverville, Trinity county, whither he proceeded in the Spring of 1852, and there continued mining for five years, at Big Prospect and its vicinity. In 1857, he moved to the southern mines,

where he passed the Winter, and in the Spring of 1858, came to Contra Costa county. In the Spring of 1859, he settled on his present farm of two hundred and thirty-five acres, in Sycamore valley, five miles east of Danville, where he is chiefly engaged in farming. Married, April 29, 1865, to Eliza P. Shaw, a native of Ohio, and has five children, viz: Jessie, Lizzie, Ella, Emma, and Chauncey.

ALONZO PLUMLEY.—This early pioneer of Contra Costa county is a native of St. Lawrence county, New York, and was born August 12, 1830. When but a small boy his father died, and his mother married again. They then moved to Canada, where our subject resided until seventeen years of age. He then left home, and went to Cook county, Illinois, and followed several different occupations, and remained in that State until March 21, 1853. On the above date Mr. Plumley, with his young wife, started to cross the plains with horse-teams. After a usual and uneventful trip, they arrived at Volcano, August 5, 1853, and coming direct to Contra Costa, first settled on the place now owned by Mr. Gregory, of Ygnacio valley, but a short time after he moved to what is now known as Morgan Territory, and, in the Fall of 1864, purchased his present farm of one hundred and sixty acres, located one mile north of Byron, where he is now engaged in general farming and stock-raising. Mr. Plumley is there enjoying the fruits of a well-spent and prosperous life, beloved by the wife of his youth, surrounded by his children, and respected by the whole community in which he resides. Was married in Cook county, Illinois, March 1, 1853, to Miss Julia E. Chilson, a native of Massachusetts. By this union they have twelve children living; their names are: Levina Elizabeth, Sarah Eleanor, Charles Eugene, Olive Ada, Ida E., Alonzo Monroe, Lorenzo Grant, Willard Olney, Emma Lydia, Edith Orela, Lillie Julia and Lulu Maud. A portrait of this gentleman will be found in this work.

HENRY POLLEY.—Was born in Russia, Herkimer county, New York, September 10, 1837, and received his education at the common schools, afterwards attending the academy of Fairfield. He resided in his birthplace until twenty-three years of age, and on April 5, 1860, sailed from New York on board the *Northern Light* to Aspinwall, and on the Pacific side secured passage on board the *Sonora*, arriving in San Francisco, April 28th, of the same year. Our subject first proceeded to the mines of Forest Hill, and embarked in mining for a short time, but returned to Sacramento and worked until August of that year. Mr. Polley then came to Clayton, Contra Costa county, and there worked by the month until 1868, when he engaged in the livery business, in company with that well-known and popular livery man of Martinez, Seeley Bennett, a business in which he continued until 1872, when he sold out and

went to the lower country, engaged in the manufacture of cheeses for one year, and again returning to Martinez, worked for Mr. Bennett for one year. In 1876 our subject returned to Clayton and bought his present ranch of one hundred and sixty acres, where he is now engaged in general farming and fruit raising. Mr. Polley has been twice married; first, in San Francisco, in June, 1867, to Miss Martha Willoughby, a native of New York. By this union they had one child: George W. His second marriage occurred in Clayton, in 1876, to Miss Annie F. Carpenter, a native of New York. By this union they have no issue.

HON. CHARLES BRUCE PORTER.—The subject of this sketch was born in Taunton, Bristol county, Massachusetts, November 29, 1817. From nine to thirteen years of age he was a pupil of the Franklin Public School in Boston, and in after boyhood he had a five years' maritime experience as a seaman; then learned and followed a branch of the engraving business for calico printing. February 20, 1849, he sailed from New York for California with the first party (the Gordon Association, numbering one hundred and twenty persons,) that attempted the passage of the Nicaragua route, by way of the San Juan river, Lake Nicaragua, and the port of Realijo on the Pacific. After a detention of four months in the country, awaiting a vessel, the party sailed from Realijo in the small Guatemalean brigantine *Aun*, on or about the 20th of July, and arrived in San Francisco on October 5, 1849, after a tedious voyage, most of the time on short allowance of poor provisions and water. After two or three years of mining experience and a like term of residence in San Francisco, Mr. Porter, in 1855, became a resident of Contra Costa county, settling in Green valley, and followed the business of farming. In 1860 he was elected as the candidate of the then young Republican party to represent the county in the State Assembly, and was re-elected the following year. In 1862 he was elected to the State Senate for the district composed of Contra Costa and Marin counties for the term of two years, as then provided by the Constitution; but, by the adoption of amendments, the terms of Senators, with biennial sessions of the Legislature, were extended to four years, and Mr. Porter was re-elected to the Senate in 1863 for the term of four years. His continual service in the two branches of the Legislature thus comprised the period from January, 1861, to December, 1867. Since July, 1865, the subject of this sketch has been identified with the county as editor of the *Contra Costa Gazette*, and still continues that relation. Mr. Porter married, November 24, 1857, Miss Annie Williamson, a native of Bantry, Ireland, by which union there are six children, viz.: Harriot, Miriam, Ileen, Margaret W., Edmund Bruce, Charles B. and Robert C. A portrait of Mr. Porter will be found in these pages.

ANDREW PORTMAN.—The subject of this sketch is a native of Pennsylvania, and was born November 25, 1832. At the age of thirteen years his parents both died, and he went and made his home with a brother-in-law for one year, then he went to Ohio and stayed two years, when he returned to his birthplace and remained until 1852, at which time he concluded to seek his fortune on the golden shores of the Pacific. But, on arriving at Panama he concluded to remain there, therefore sold his through ticket to San Francisco and found employment on the railroad at that time being built across the Isthmus. Remaining in Panama some four years, we next find Mr. Portman again in his native State, where he resided for a short time, when he again, in July 1856, started *via* Panama for San Francisco, and arrived the following August. His first venture on this coast was in the mines for two years. In November, 1858, he came to this county and worked at wood-chopping, and in 1860 purchased his present place of one hundred and sixty acres of land, where he has since bought one thousand and eighty acres of swamp and overflowed land which he is now trying to reclaim. On taking an inventory of his stock in 1860, Mr. Portman found himself possessed of fifty-two head of sheep, one cow and calf, one hen and four chickens, but the old saying of "small beginnings make large endings" still holds good in this case, as Mr. Portman is now in affluent circumstances and possesses a well-stocked farm of over one thousand two hundred acres. Was united in marriage at Babbe's Landing, July 27, 1870, to Miss Johanna C. A. Babbe, a native of Germany. They have four children, all living: Frederick A., Sophia E., William N. and Andrew F.

WILLIAM COBB PRATT.—The son of William and Sarah (Morey) Pratt, was born in Greenwich, Washington county, New York, September 7, 1809, where he received a common school education and resided on a farm until twenty-eight years of age. In 1837 Mr. Pratt moved to Blissfield, Michigan, and then was appointed to a government position in the Indian Department at Mackinaw, which he filled for three years. His next move was to Huron county, Ohio, where he embarked in railroading, as a contractor, and after a residence of six years in Ohio, he moved to New York. September 15, 1850, found him on board a steamer bound, *via* Panama, for the Land of Gold, coming on board of the steamer that brought the first news of the admission of California into the United States. Arriving in San Francisco October 17, 1850, Mr. Pratt immediately proceeded to Jackson Creek valley, Amador county, and engaged in general farming, but after one year, moved to Ione, and engaged in merchandising. Mr. Pratt filled several official positions, being elected in 1852 Justice of the Peace of Ione, and in the following year was elected to the State Legislature, then sitting at Benicia. In

October, 1864, the subject of this sketch first came to Ygnacio valley and engaged in farming; four years later he moved to Walnut Creek and embarked in the merchandise trade, selling out a few years ago; he is now enjoying the fruits of a well-spent life. Mr. Pratt was thrice married. First, in Detroit, Michigan, to Miss Delia E. Lanfear; she died in Sacramento county, California, without issue. His second wife was Mrs. M. Comstock, *née* Maston, who died in 1855, and was buried in Volcano, Amador county. Married his present wife in Sacramento, January 19, 1858, she being Miss Louise M. Howland; by this union they have no issue.

HENRY RAAP.—Was born in Holstein, Germany, June 20, 1830, and is the son of Conrad and Wileky (Holm) Raap. He received his education in his native place. In 1848, entered the military service, took part in the war between Holstein and Denmark, and was discharged in 1851. He then emigrated to the United States, first settled in Cleveland, Ohio, where he embarked in farming and horticulture, which he followed for two years, and finally accepted a situation as interpreter for the Great Western Railroad Company, his business being to direct the numerous foreigners then arriving to the proper trains, etc. In 1854, his attention was turned towards the Pacific Coast, and in the following year he emigrated to California, *via* Nicaragua. On his arrival, he immediately proceeded to the mines at Placerville and El Dorado, commencing to work on the American river, and with considerable success. The proceeds thus accumulated he deposited in Adams' Bank, which, failing soon after, swept away Mr. Raap's hard-earned gold, and left him penniless; but to despair was not in his nature. He returned to the mines; in 1858, we find him hard at work on the Frazer river, British Columbia, and in the year following, returning to Europe on a six months' visit. In 1860, he came back to California, and was variously employed until 1862, when he went to Salmon river, Washington Territory, for mining purposes. In 1862 he again returned to Germany, and was there married. He then once more turned towards the Pacific Slopes, arriving in the Fall of 1863, located in Martinez, but shortly thereafter purchased his present property, consisting of two hundred acres of land, one mile south of Martinez, where he is engaged in farming and horticultural pursuits. Married, December 16, 1862, Magdalene Classen, a native of Holstein, Germany, and has: Harry, Adele, John, Alfred and Otto.

SAMUEL FRANKLIN RAMAGE.—Was born in Butler county, Ohio, July 1, 1836. When three years of age he, with his parents, moved to Pike county, Illinois, and resided there and in Adams county, same State, until 1856. On September 8th of that year, he sailed from New York, *via* Panama, for California, and settled in Contra Costa county. For four

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years on arrival he was engaged in stock raising, and in the mean time, in 1858, went to Oregon and drove cattle to Contra Costa county. Since 1860, with the exception of three years, when he was engaged in hauling coal from the mines to Antioch, he has followed farming on the San Joaquin for three years on the Marsh Rancho and on the land where he first located and now lives. Mr. Ramage was appointed Justice of the Peace in 1881, which office he now holds, and is School Trustee for Green Valley District. Married firstly, in 1860, Sarah J. Flippen, who died in 1873. By that union there are four children, John A., Joseph C., James W., and Clara E. Married secondly, October 2, 1879, Mrs. Lizzie Boswell, Oakland, California, and has one child: Robert C.

JAMES RANKIN.—Born in Lanarkshire, Scotland, April 25, 1848. When seventeen years of age he emigrated to the United States, arriving in New York, January 21, 1865, and after spending eight months in that State, he proceeded westward, visiting different parts until the year 1869, when the Union Pacific Railroad was completed, coming to San Francisco and locating there. He went to Somersville, Contra Costa county, July 4, 1870, and made his home there, engaging in mining until 1873. He then purchased the Union Hotel, at Somersville, from N. A. Tyler, and carried on that business for fifteen months, when he again went to San Francisco, where he remained about the same length of time. He returned to Contra Costa county, and in partnership with R. S. Cross, opened the first store in Judsonville. He carried on this business until March, 1879, when he bought the general merchandise store of John Gambs, in Somersville, and in the following month, transferred to his present location in Nortonville, where he has since engaged in the same business. Married in San Francisco, July 8, 1879, Sarah E. Brown, a native of Pennsylvania. By this union there are two children: Janet, and James.

WILLIAM REHNERT.—Born in Prussia, September 24, 1824, resided there until twenty years of age and learned the trade of blacksmith. He afterwards spent three years in different parts, the last being Hamburg, from whence he sailed in 1847, for Galveston, Texas. There he worked at his trade for one year, after which he was engaged as blacksmith and horse-doctor in the United States army. In September, 1851 he started overland through Mexico to Magellen, with horse-teams part of the way, and the balance on pack-animals. He was accompanied by his wife and seven companions, who sailed from Mazatlan on the schooner *Cornelius*, arriving in San Francisco December 16, 1851. There he resided for eight years, working at his trade, the last six of which was on his own account. In October, 1859, he moved to Contra Costa county, and located on his present ranch on the San Pablo road, about two and a half miles from Pinole. Married in San Antonio, Texas, June

13, 1851, Barbara Miller, a native of Germany. There are three children living, viz.: Charles W., Louisa E., and Annie Wilhelmina. Two are deceased.

JOHN REINERS.—The subject of this sketch, whose portrait appears in this work, is the son of Harom and Sesche (Meyer) Reiners, and was born in Drege, Province Hanover, Germany, February 28, 1822. At the age of fifteen years, having first attended the common schools of his birthplace, he entered a mercantile establishment in the city of Bremen, and there remained seven years. Subsequently, he returned to his native town, and for fourteen years was in business on his own account there. Mr. Reiners now embarked in the lumber trade, which he continued until 1862, in which year he came to California, and for four years was a resident of San Francisco. In 1866 he returned to Germany, but four years later, in 1870, came back to the Pacific Coast, and resided in San Francisco until the Spring of 1873, when he returned to Germany and remained there until October of the same year. In November, 1873, he settled on his present ranch in Contra Costa county, where he now farms three hundred and ninety-five acres of land. Our subject is a man well-known in the section of the country in which he resides, while his honest integrity of character places him in the front rank of the citizens of Contra Costa. He married, in 1873, Miss Elsa Esdohn, a native of Sudweihe, Province Hanover, Germany.

CHARLES RHINE.—The subject of this sketch is a native of Poland, born March 9, 1838, and in his native place attended school. When fourteen years of age, he served as a clerk to a lawyer for two years, and when sixteen, sailed from Hamburg to seek his fortune in the New World, crossing the Atlantic to New York, and there remaining until September, 1856, when he took passage on board of the *George Law* to Panama, and on the Pacific side on board the *Golden Gate*, arriving in San Francisco in October of the same year. Staying there but a short time, he engaged in trade at the mines until the Spring of 1857, when he came to Contra Costa county, and in 1858 opened a general merchandise store, one and a half miles east of the present site of Clayton. One year later, Mr. Rhine was among the first to open business in Clayton, where he conducted a general merchandise store, in partnership with Joel Clayton, for whom the town was named. After three years partnership, Mr. Rhine bought Mr. Clayton out, and has since continued in the general trade. Fifteen years ago, he moved into his present store building, and now carries a stock valued at from fifteen to twenty thousand dollars. Mr. Rhine is also postmaster of Clayton, and in connection with his store is extensively engaged in farming, owning now some nine hundred acres of land. Mr. Rhine was united in marriage in Clayton, August 16, 1868,

to Miss Celia Lobree, a native of Prussia. By this union they have eight children living: Rachael, Adeline, Pauline, Esther, Abraham, Annie, Elias and Sarah.

WILLIAM RICE.—The subject of this narrative, whose portrait finds a place in the History of Contra Costa county, is the son of Archibald Rice and his third wife, Sally (Richmond) Rice, he being the first-born of this union, and first saw the light in Caswell county, North Carolina, May 2, 1814. At the age of six years Mr. Rice commenced going to school in his native place, and so continued, attending during the Summer months, until October, 1826. In that Fall Mr. Rice, Senior, disposed of his property in North Carolina and emigrated to Howard county, Missouri, where he rented a farm for one year. In this place our subject resumed his studies for one Summer, and then completed his education, so far as school is concerned. In the Spring of 1828 he accompanied the family to Rolls (now Monroe) county, Missouri, where they settled in the midst of the forest, and in the latter part of the Fall became assistant in a little school there, taught by James Dickey. During the Summer and Fall of the year 1829 an outbreak among the Indians occurred which caused considerable annoyance to the residents, but the erection of a fort soon acted as a peacemaker among the redskins. In the Fall of 1831 their lands in Monroe county were sold, and the following Spring the family located near Independence. On May 19, 1833, our subject was dispatched to North Carolina, armed with a power of attorney, to wind up the estate of his maternal grandfather, who had died during the Fall of the previous year, and left considerable property to his daughter and son-in-law. Even at this day of railroads and steamboats the journey is a long one; what then must it have been when Mr. Rice undertook it in the pre-staging days, in a two-horse wagon and acting as his own coachman! Matters being settled, he returned to Missouri, arriving September 25th, with a family of eight negroes, the property of his parents. In this year (1833), at the same time as did his father and mother, he joined the Baptist church, the three being admitted by baptism at the same time and place.

In the years 1831 and 1832, Mormons first commenced to settle in Jackson county, Missouri; in 1833, during his absence in North Carolina, they began to give trouble, therefore the citizens of the county, after meeting in council, demolished their printing office, with the press, the only one then in the district, and wound up their vengeance by tarring and feathering their Bishop, Patridge. This tended to exasperate them still farther and caused more violence, while, in October, so desperate had they become, they gave battle to the Gentiles near Big Blue Brazil, when a lawyer of Independence was killed, and Harvey Wilson wounded. On the following day the Mormons made a demonstration against Independence, when the citizens of the county turned out *en masse*, met them

when within a mile and a half of the town, held them at bay until they surrendered and finally agreed to leave the county. In the Summer of 1834, they once more arrived to get a foot-hold in the district, but as soon as intelligence of their intentions went abroad a general meeting of the community was convened; volunteer military companies were speedily organized; Samuel C. Owens was appointed commander-in-chief of the forces, who were immediately marched to the different crossings of the Missouri river, where they guarded these until the venture was abandoned. In these stirring events Mr. Rice was an active participator, and stood guard for several days and nights. The next important event in the life of our subject was his marriage, February 26, 1840, to Louisa, daughter of William and Martha Ish, a native of La Fayette county, Missouri. He now settled about five miles from Independence, on the road to Lexington, where he engaged in farming, stock-raising, and buying and selling horses aud mules. His health not being good at this time, he undertook a journey into the Southern States with horses, which he disposed of to advantage, indeed, so great benefit did he derive from these journeys that he continued in the business of stock-driving for several years, in the course of his peregrinations visiting every State in the South, except South Carolina. While resident in Missouri, Mr. Rice became the father of seven children, and perceiving the necessity of providing them with an education that might be of benefit in after life, he felt dissatisfied with the common school system then in vogue. To rectify this, in a measure, he obtained permission to open a private school in the Baptist church for a few months, and hired a teacher to conduct it upon his (Mr. Rice's) responsibility. So well pleased was he with the experiment thus made, that Mr. Rice built a substantial structure of his own, for the purpose, on his own land, and kept up his own private school so long as he lived in Missouri. He also took in a few select scholars, some of them as boarders, into his own family, while every grade of instruction to be found in a common school was taught in his—nay more, arrangements were made for tuition in the musical art, and in classic latin as well.

Kansas was admitted for settlement in 1852–53, and an election ordered. To this new region what was known as an Emigrant Aid Society was dispatched from the Eastern States to control affairs; but at the first election the citizens rose to checkmate their movements, and thus carried the first, second and third elections. At the time politics ran high; and being somewhat mixed in the Kansas Troubles, our subject, thinking "discretion to be the better part of valor," determined to leave for California; therefore he sold his property to Dr. Alexander Marshall, during the early part of the year 1859, and commenced making preparations for moving to the Pacific shores in the Spring. Save six favorite negroes,

whom he brought with his family to California, Mr. Rice disposed of all his possessions, and on April 28, 1859, left Independence, his train consisting of eight hundred and ninety head of cattle (mostly heifers), six wagons with four yoke of oxen to each, one ambulance for his family, thirty head of horses and mules, seventeen hired men and the six negroes. During the first part of their journey our voyagers began to make the acquaintance of the unfriendly elements, high waters and muddy trails being their companions. Near Lawrence, Kansas, some of the cattle were stolen; on the North Platte, the cattle commenced to die; they continued to drop off throughout the distance. At the last-named place, five men from Michigan, travel-stained, foot-sore and weary, were added to the band by Mr. Rice, under contract. Time was given them to recuperate, and such is the gratitude of human nature, so soon as these ingrates had recruited, they stole away and have not been seen since. After the Thousand Springs valley was left, the journey was pleasant though arduous. The following curious circumstance Mr. Rice relates as having happened on the 6th July. The day was particularly hot as they entered Ice valley, a small vale coated with thick, luxuriant grass. On digging down about a foot, a layer of pure ice was found, some five inches in thickness, a beneficent provision of nature that was quickly garnered and stored for several days in blankets. Our party, it should be mentioned, came by the Honey Lake route, where they learned that the previous season in California had been a dry one, and that therefore it would be expedient to leave all cattle on the eastern slopes of the Sierra Nevada, which, after branding was done, those remaining (one hundred and ninety head and two valuable mules had died on the plains) were driven to Willow creek, and left in charge of Archibald Rice, the eldest son of our subject. While there, Mrs. Rice, their son Thomas, and two of the hired men, were prostrated from sickness, which caused a detention of twelve days, while, it may be remarked, that from this place Mr. Rice assisted several people to cross the plains, with the promise of payment in California, but he has never seen the borrowers nor their money since. Here he parted with several of his hired men. Our hero now started to cross the mountains. What a flood of recollections must these few words bring to the mind of he who has traveled this route! With but four wagons and the "family coach," some cattle, and a man or two, the difficulty of climbing the Sierras was surmounted; the descent on the western side was soon made, and the declining hours of the month of September found them in the valley of the Sacramento. He proceeded to Napa, and for one year rented and cultivated a farm belonging to Ex-Governor Boggs, of Missouri, while, with his family, he resided in the house of John Seawell. His son, Archibald, who, it may be recollected, was left at Willow creek with the cattle, had had some difficulty with Indians, who drove off a portion of

the stock; these he recovered, however, and moved them to Honey Lake, where they remained until the month of May. After putting in his crop at Napa, and placing three daughters and a son at school, Mr. Rice traveled for the remainder of that season in quest of a place whereon to permanently locate, while he received intimation of depredations among his cattle on the east side of the Sierra Nevada. Notwithstanding severe impediments from snow and other causes, he quickly proceeded to Honey Lake, arriving during the last days of April, where he found his stock much reduced in quality and quantity; therefore he drove the remainder to Big Meadows, Plumas county, his son being left behind to collect stragglers. In August they were all transferred to Fresno county, to a pasturage that had been selected for them. In April, five of the six negroes that Mr. Rice had brought across the plains with him, left him, and afterwards, the last, with his son, wished also to sever his connection with his benefactor. The son being detained, Mr. Rice was served with a writ of *habeas corpus* calling upon him to show cause; he was brought to trial at once, the case was dismissed, and the negro mulcted in costs. October 11, 1860, our subject purchased the San Miguel Homestead, in Contra Costa county, near the village of Walnut Creek, from Ygnacio Sibrian, whither he moved his family on the 18th of October, 1860. In 1862, he built a school-house, hired a teacher, took in a few scholars, and opened a private family school—just such an one as he had started in Missouri. It was kept open until his family had received a sound training. One he sent to the Golden Gate Academy, where he graduated. For the first two years our subject leased his farm—afterwards he took possession himself, and farmed it until the Fall of 1880. Henceforward Mr. Rice's life has been that of a good father and right-thinking man. He has seen all his children placed above want, in different portions of the State, and in 1871, with the partner of his joys and sorrows, and youngest daughter, he paid a visit to Missouri, on their return halting at Salt Lake, *en route* to their home in Contra Costa. Another journey was undertaken in 1880, when a grand reunion of his friends and relatives was had, to the intense satisfaction of all. On his return in the same year, to his ranch, he gave up farming, rented a portion of his land, and at present keeps enough to raise a few cattle to "keep his hand in," as it were. Of what nature of man Mr. Rice is, his history informs us. After an active life of more than ordinary length, he is now enjoying well-earned quietude in one of the most beautiful homes of Contra Costa. He married, February 26, 1840, Louisa Ish, a native of Missouri, by whom he has had: Archibald, born March 30, 1841, died December 24, 1879; William Ish, born July 4, 1842, residing in Ventura county; Xarrissa, (now Mrs. Wm. G. Hill); Arnetta, (now Mrs. John G. Hill); Thomas Alexander, born January 30, 1849, residing in Ventura county; Octavia, (now Mrs.

Thomas W. Sturges); Coffee Adams, born March 25, 1855, residing in Ventura county.

WILLIAM B. RODGERS.—Was born in Ripley county, Indiana, June 26, 1827, and is the son of Samuel and Catharine Rodgers. When fifteen years of age he accompanied his parents to Burlington, Des Moines county, Iowa, where our subject attended school during the Winter months, and farmed in the Summer. In 1846 he proceeded to Van Buren county, in the same State, and there served his apprenticeship to the cooper's trade; in that year, also, taking the most important step of his life, in marrying Miss Elizabeth Shaffer. By the year 1852 the wild shibboleth of gold had taken the world by storm. Mr. Rogers, too, was captivated by the seductive sound, and that Spring essayed the arduous journey across the plains to California, arriving in Drytown, Amador county, October 20, 1852. To let the grass grow under his feet, is not Mr. Rogers' motto. He at once opened a laundry in Drytown, and, as a criterion of the prices then raging, he received as much as "four bits" for washing a white shirt. In the Fall of 1854 he erected the Iowa Hotel in Empire City. A year later he removed to San Ramon valley, Contra Costa county, and in the Summer of 1856, commenced farming—a pursuit he engaged in until the year 1867. Mr. Rodgers then took up his residence in San Francisco, where he embarked in the draying business. From 1870 to 1878, he was in the San Francisco Police Force, where he was widely known as an energetic and efficient officer, and in 1880, he came to Walnut Creek and erected his present hotel—one of the very best houses of entertainment on the Pacific Coast. He married, secondly, in August, 1870, Elizabeth Anderson, by whom there is no issue. He has two sons, William and Walter, offsprings by his first wife, who died in 1868.

JOHN C. ROUSE.—This subject, one of the substantial citizens of Antioch and Contra Costa, is a native of Watertown, New York, where he was born June 20, 1828, and in his native place worked on a farm and received a common school education. January 3, 1853, being then twenty-five years of age, Mr. Rouse started *via* Panama to seek his fortune in the Golden State, and arrived in San Francisco, February 3d of the same year. His first venture was in the mines of Calaveras county, where he sojourned a short time, and then moved to Tuolumne county, where he was engaged in mining for eight years, with moderate success. April, 1861, Mr. Rouse came to this county, and was employed as foreman of the Pittsburg coal mine at Somersville for some three years; then engaged in the hotel business at the same place as proprietor of the Pittsburg Hotel for another three years, and again turned his attention to mining, and worked the Central mine for five years. In 1876 Mr. Rouse, in

partnership with G. W. Hawxhurst, opened the Empire mine, located at Judsonville. This company changed in 1877 by Messrs. Judson & Belshaw buying an interest, and the retirement of Mr. Hawxhurst. They built and equipped a railroad from Antioch to the mine. In 1881 Mr. Rouse purchased the Central mine, and extended their railroad to the same, and at the present time Mr. Rouse is the resident manager of the company of Belshaw & Co., now extensively engaged in taking out coal from the Central and Empire mines. A description of the same will be found in the body of this work. Mr. Rouse is also the senior member of the firm of Rouse, Forman & Co., an extensive lumber firm of Antioch. Mr. Rouse is one of Antioch's most substantial and respected citizens. In 1872 Mr. Rouse paid a visit to his old home, and was united in marriage, February 21st of that year, to Miss Allie Nicholas, a native of New York State.

AZRO RUMRILL.—Born in Pittsford, Rutland county, Vermont, March 15, 1831. When very young he was taken by his parents to Jefferson county, New York, where he resided until he reached thirteen years of age, when he was placed in school at Oswego. On the completion of his studies he joined his father in Hartford, Washington county, Wisconsin, where he engaged in farming until the Spring of 1853, when he started for California, sailing on the 13th April, from New York, in the steamship *El Dorado* to the Isthmus, and thence to San Francisco in the *Columbus*, arriving May, 24, 1853. He next went to Watsonville, Santa Cruz county, where he joined a brother, who had preceded him, in farming. In the Fall of 1854, he found his way to the mines, where he passed the Winter. Afterwards he engaged in agricultural pursuits in different parts of California until October, 1856, when he settled in Contra Costa county, first locating on a parcel of land about a quarter of a mile from his present ranch, which latter, comprising sixty acres, he purchased in 1860. Mr. Rumrill has been a School Trustee for a dozen years, while, in 1877, he was elected to the office of Justice of the Peace, a function he discharges, at the present writing, with much ability. Married in San Francisco, April 9, 1864, Maria Fannon, a native of Ireland, and has: Calista, Julia, Mary, Harriet, and Herbert C.

FARMER SANFORD.—The subject of our memoir was born in Atchison county, Missouri, February 2, 1851. When he was but a child of two years, his parents emigrated across the plains, arrived in Contra Costa county in September, 1852, and first located about one mile from the present site of the town of Walnut Creek. Here his parents resided for one year, and then moved to Martinez, where they remained for two years. His father next moved to, and purchased the hotel at Lafayette, where he followed hotel-keeping until 1859. His parents then embarked

in farming. Mr. Sanford was educated in the common schools of Contra Costa county, and may be termed a pioneer, as here he has spent his childhood, youth, and now, in the prime of manhood, is one of Walnut Creek's most enterprising business men. In 1878, he located in Walnut Creek, and purchased his present property, and opened his livery and feed stable, located on Main street, near Rogers' Hotel. He is also the present efficient Constable of Township Number Two, having been elected in 1879. Was united in marriage in Concord, September 12, 1877, to Miss Kitty Downing, a native of California. They have one child, a daughter, Evelyn D.

GEORGE H. SCAMMON. — The subject of this sketch is a native of Penobscot county, Maine, born in August, 1834, and was there educated; he resided there until coming to California. Sailing from New York, *via* Panama, Mr. Scammon arrived in San Francisco in the latter part of October, 1859, and immediately came to Contra Costa county, and first located on the place where now is the town of Walnut Creek—at that time there being but one house in that now thriving village. There he resided for two years, and then moved to Somersville and engaged in the hotel business, which he has followed for twenty years, and is at present the proprietor of the Pittsburg Hotel. Mr. Scammon was united in marriage, in Somersville, February 16, 1864, to Mrs. Jane E. Lee, a native of Bridgeport, Nova Scotia; she died December 7, 1880. His family consists of three children (Jennie, Edith and George) and three step-children (A. W. Lee, Robert L. Lee and John Lee).

ALBERT SHERBURNE.—Was born September 4, 1833, in the town of Bennington, Gennesee (now Wyoming) county, New York, where he resided until seventeen years of age. In 1840, he removed to Kennebec county, Maine, where he received most of his education at the public schools, and the Maine Wesleyan Seminary of Kent's Hill in that county. He then entered a woolen mill and learned the manufacturer's trade, which he followed until January, 1852, acting as overseer during the last four years of the time. January 2, 1852, he left Maine for California, *via* New York, whence he sailed January 10th, on the steamer *Ohio* for Chagres, where he landed about January 20th. He ascended the Chagres river in an open boat to Gorgona; thence to Panama, where he took Walker's line and arrived January 22d. On January 28th, he sailed in the bark *Philander* for San Francisco, and after a passage of seventy days, landed in Acapulco. Here he took passage in the steamer *Winfield Scott*, and arrived in San Francisco April 28, 1852. There he remained only one day, when he left for Placerville, El Dorado county, and engaged in mining, an occupation he followed most of the time until May,

1856. May 21st, of that year, he arrived, with his family, in Contra Costa county, at Martinez, and thence proceeded to the San Ramon valley, first settling on a farm owned by his brother near the old Cox place. In the Fall of 1857, he took up a stock range in Alameda county, where he remained until 1861, when he sold out and removed to Sycamore valley, in this county, where he resided until 1870, in which year he disposed of his farm and came to Walnut Creek, where he conducted a mercantile establishment until December 20, 1879, when his store and contents were consumed by fire. He again rebuilt on the same ground and now owns the store occupied by Mr. Gambs, and the saloon conducted by Mr. Burpee, Mr. Sherburne's son-in-law.

HON. DAVID N. SHERBURNE.—This well known resident of Sycamore valley, and at present a member of the Board of Supervisors of Contra Costa county, is a native of Bennington, Wyoming county, New York, born October 14, 1822. When twelve years of age our subject accompanied by an uncle went to Kendall county, Illinois, where he resided until 1841. He then proceeded to the lead mines of Galena, same State, where he embarked in mining and resided until 1849. In the Spring of 1850, he, with four companions, went down the Mississippi river to St. Louis, there purchased two ponies apiece, and started on horseback *via* Independence and the old emigrant route to seek their fortunes in the gold fields of California. After a weary journey and many hardships, he arrived in Placerville, August 26, 1850. There he prosecuted mining until his coming to Contra Costa county in 1856. Mr. Sherburne first settled on what he supposed to be Government land, and engaged in stock-raising for a few years. Needing more room for stock, he sold out his claim in Contra Costa county; he thereupon took his departure for Alameda county, and there resided until 1859, when he once more returned to this county and purchased his present ranch of six hundred and forty-seven acres, three miles southeast of Danville, and engaged in general farming. Mr. Sherburne is a man of more than ordinary ability. Since becoming a resident of Contra Costa county he has been called upon to fill some of the most important offices in the gift of its residents. In 1865 our subject was elected to the office of county Supervisor, a position he filled for four successive terms, and in 1879 was elected to the State Legislature, defeating in the contest another of Contra Costa's well known men, viz., Josiah Wills, of Lone Tree valley. In 1880 Mr. Sherburne was again elected a member of the county Board of Supervisors, an office he now fills with credit to himself and satisfaction to the people. He has never married, and now resides with his widowed sister in his beautiful home in Sycamore valley.

James Stewart

GEORGE ATWOOD SHERMAN.—Is the son of Charles and Roxana (Thrall) Sherman, and was born in Delaware county, Ohio, February 17, 1845. Here he received his education and resided until 1863, when he accompanied his parents to California, and resided in El Dorado county until 1865, in the Spring of which year they removed to Contra Costa county, the subject of this sketch finishing his education at the Platt School in Benicia. In July, 1870, he embarked in the hotel business in the old Morgan House in Martinez, which he continued until July, 1876, when he moved to Oakland for a short time. In December of that year he purchased from G. A. Lawrence his present drug business in Martinez, with which he has combined the agency of Wells, Fargo & Co. Married, April 3, 1872, Elnora McAdow, a native of Ohio, by whom he has two surviving children: Raymond H. and Lottie L.

BENJAMIN SHREVE.—This well-known pioneer of Contra Costa county was born in Crawford county, Pennsylvania, August 2, 1828, and there received his education, in part, at the common schools, and afterwards at the Waterford academy. In 1850, he went to the southern portion of Kentucky, where he was employed in teaching school. In 1852, he started from Smithland, in company with a party of Kentuckians, to cross the plains to California, and after an uneventful trip of six months, arrived at Placerville, in September of the same year, and later in the Fall, came to Contra Costa county, when he stayed a short time in Ygnacio valley. He then proceeded to Oregon, where he remained until May, 1853, when he returned to the mines on the Middle Fork of the American river. After a short stay there he concluded to return East, and started for San Francisco with that intention, but passing through Contra Costa county he was employed to teach school, near Lafayette, and taught there during the Winters of 1853 and '54, and in 1855, began the merchandise trade near his present place of business, in connection with which he ran a hotel. In 1857, Mr. Shreve petitioned Congress to establish a post office at his place, and then gave it the name of Centerville, but owing to there being a post-office of the same name in the State, had to change it, when he named it after the great French General, Lafayette. Mr. Shreve then moved his store some half-mile farther up the valley, to where now stands the town of Lafayette, and in 1857, received his appointment as postmaster and mail agent, which office he still holds, it being now his twenty-fourth year of the trust, being probably one of the oldest postmasters in the State. In connection with his post-office and store, he farms a ranch of two hundred and fifty acres adjoining the town. Was united in marriage in Lafayette, August 17, 1854, to Miss Adeline Gorham, a native of Illinois. By this union they have two children: Milton and Fred.

H. S. SHUEY.—The subject of this sketch, whose portrait appears in this work, is the son of John and Lucinda (Stowe) Shuey, and was born in Adams county, Illinois, August 17, 1840. His father went to Oregon in 1847, making the trip over the plains and Rocky Mountains with the earliest emigrants. He returned to California in the Spring of 1850, *via* the Isthmus of Panama, and went back the same year to Illinois. In 1856 he made the third trip to California, with his family, *via* the Isthmus, and it was then that our subject first arrived, the date being May 22, 1856. For the first two years he resided with his parents in Moraga valley, when he removed to Fruitvale for the purpose of attending the Deveant School, now the State University. Afterwards, he commenced the battle of life on his own account, and for two years was engaged in mining. Returning from the mines, he was variously employed until 1867, when he commenced running a wagon and selling goods through the country, a class of business he has greatly increased and still continues. In 1873 he opened a store in the thriving village of Walnut Creek, in partnership with his brother, M. M. Shuey; but in 1878 the association was severed, since when he has been alone in business. Married, July 2, 1868, Miss Geneora Dougherty, of Lafayette, who was born December 17, 1850. By this union there are seven children, viz: Virgil M., born November 8, 1869; Nettie F., born December 14, 1871; Mary E., born December 24, 1873; Morris H., born November 10, 1875; William A., born December 16, 1877; George, born February 10, 1880, and an infant son, born May 10, 1882.

ANTONIO PERRY SILVA.—The subject of this sketch, whose portrait appears in this work, is a native of the Azores, where he was born in the year 1820, and resided until he was eighteen years of age. Subsequently he followed the life of a sailor, emigrated to America and prosecuted his calling, with fishing, until November, 1849, at which time he sailed from Boston for California, arriving in San Francisco, April 8, 1850. His first work was breaking rock on Telegraph Hill, his wages being five dollars per day—his food was prepared and eaten on the ground, his only covering being a blanket. This job completed he commenced lightering from vessels in the harbor, an occupation he followed until September of that year. By this time he had accumulated two hundred dollars; this sum he buried underneath his tent, but thinking the hiding place insecure, he removed his treasure into the custody of a bank—in three days the bank was declared insolvent. Mr. Silva now engaged to proceed to Bodega, Sonoma county, for lumber at seventy-five dollars per month, but only remaining one trip at this work, he shipped on a vessel at five dollars per day. After a spell of this life our subject moved to the southern mines, where he remained until January, 1851, finally returning to San Francisco

on foot. He next went to Gold Bluff, where he lost everything, and in July, 1852, returned to San Francisco, in the same month, coming to San Pablo, where he took up his present residence, finally becoming its owner by purchase in 1857. Such is the life of hardship passed by Mr. Silva. We are happy to be enabled to state that by his strong will to conquer in the struggle he is now living a prosperous and contented life. He married in 1860, Inez Dollie Fraia, a native of the Azores, who died in 1871. By this union he has: Frank, Mary, Antonia, Joseph, Eris. Married, secondly, in 1872, Mary Dolie Fraia, and has one child, Maggie Louisa.

FRANCIS M. SMITH.—A native of Contra Costa county, and, we believe, the first American male child born within the present limits of the county; is the son of N. B. Smith, now one of the oldest living pioneer men of the State. Our subject was born January 25, 1848, and in early life received a common school education, with afterwards a course in a business college in San Francisco. He then engaged in farming, in which he continued until October 12, 1879, when he moved to Martinez, and opened his present place of business of dealer in fruit and produce, in connection with which he conducts a real estate and insurance office. Mr. Smith is still enjoying all the pleasures of single blessedness.

JOHN B. SMITH.—A native of New Bedford, Massachusets, born March 31, 1839. When but six years of age he was taken by his parents on a whaling voyage for three years, his father being a sea captain. On their return home, John was left in care of an uncle, and his parents sailed for California, *via* Cape Horn, and four years later our subject started *via* Panama to join his parents in the Golden State, arriving in San Francisco, January 27, 1852, where he resided one year. He then with his parents came to Contra Costa county, and, in the Fall of 1853, located on a place now owned by Mr. Sturges, seven miles from Martinez, and there remained until July 5, 1864. On that date he enlisted in Company E, Second California Volunteer Infantry, in which he served for nearly two years. In 1866, on receiving his discharge from the army, he returned to his home in this county, where he resided with his parents until 1868, when, through a fraudulent title, they lost their place. He then moved to Martinez, where he followed several different occupations until 1880, when, in November of that year, he, in company with James Johnson, and under the firm name of Smith & Johnson, opened up their present cigar and billiard saloon, in which our subject still continues. Was united in marriage, May 14, 1871, to Miss Nellie F. Austin, a native of North Tunbridge, Orange county, Vermont. By this union they have three children, two daughters (twins) and one son: Mary and Mercie, and Arthur.

JOHN F. S. SMITH.—Now living on the San Miguel Rancho, where his sons, Smith Brothers, are engaged in farming and stock-raising, we find the subject of this sketch. Mr. Smith, the old "ex-Sheriff" of Contra Costa county, as he is familiarly known among all of the old settlers, and whose personal acts as an energetic officer in the discharge of the then dangerous and trying duties of his position, were not only in the arrest of criminals of the most desperate kind, but on many occasions he was forced to contend with that greater danger to society, the rampant "mob spirit" then prevailing and threatening at times the subversion of law and order to the whims of an excited people, led generally by thoughtless demagogues to the extremes of daring rashness. Mr. Smith was evidently a success as a Sheriff, for notwithstanding the lapse of time, having retired from office as Sheriff in 1855, his *sobriquet* of ex-Sheriff still attaches to his name, and in the recital of the stirring events of his official term, his fellow citizens invariably refer to him in the honorable terms of the "right man in the right place." As stated, we found the old ex-Sheriff to be quite a courteous gentleman, of about sixty years, living with his large family on a fine ranch in Ygnacio valley, at the western base of Mount Diablo. We were kindly received and agreeably entertained by himself and family. He was quite willing to impart his knowledge of the early history of the county, but when informed that our special object was his biography, as one of the pioneers of Contra Costa county, a shade of sadness passed over his features and he replied that notwithstanding many incidents of his personal history would make interesting reading for a book, he did not relish the egotistical task of writing of himself—for if not altogether a failure in the struggle of life, he certainly was one financially. But after solicitation and informing him that it was a necessity to our history of the county, he penned for us the following events:—

In throwing memory back over the thousand incidents in my personal history since I became aware of passing events, the task of selecting matter for this writing is overpowering, and I am tempted to condense by the simple recital that, on information and belief, I am the third son of respectable parents, and was on the 21st of November, A. D. 1821, in the city of Savannah, Georgia, introduced to this troublous world, in which, after possibly passing a few more years, the coroner will probably give you the date of my exit. But my promise requires something more, and therefore I must comply and if possible make the matter readable. My father was Captain James Smith of the United States navy, a native of Richmond, Virginia, of the old cavalier stock of Smiths and Mumfords of that old dominion. My mother was Mary Boylston, a native of Springfield, Massachusetts, and of the old Puritan stock of Morgans. James Boylston, my grandfather, was a Captain in the English

army, and married my grandmother when the old revolutionary war was only a "little unpleasantness" to be settled in a few days, and which finally culminated in the independence of the Colonies after a long and bloody war. It was similar to the beginning of the late "secesh war," and there were many William H. Sewards at that time to predict a restoration of peace within "sixty days." The early history of my family brings out that fact forcibly. The Morgans, of Springfield, were strong Whigs, there was a family of Boylstons living in Boston, also Whigs, Captain James Boylston was introduced to the family by my great uncle, the late General David B. Morgan, his intimate friend, to placate the bitter hatred of the old mother towards the English, represented him as of the Boston stock of Boylstons, and as such he was welcomed to the family circle, they, my uncle and his friend the Captain, anticipating that the war clouds then lowering over America would soon blow over, and they would then find no difficulty in making peace with the old lady. The possibility of war could not stop the course of true love, and the young English Captain and the young daughter of the family fell hopelessly in love. The old lady having learned that her guest was only a cousin of the Boston family of Boylstons and the son and heir of the hated English stock, and still worse, an officer in the army of King George, wrathfully drove him from the house, and threatened, in case of any future visit, to have her negro slaves (slavery then existed in Massachusetts) tie him and deliver him over to Washington as a spy.

The young captain and his lady love were married with the connivance of her brother David, and until called off to duty in the army, continued to visit his wife unknown to the old mother. My grandfather finally parted from his bride, fondly hoping that the unhappy war would soon cease and he would be permitted to return and claim her with the consent of all. But his young bride soon became a widow, and soon after a mother of an orphan girl. Her husband became a martyr to duty, and after giving birth to her child she followed him to where no ruthless wars could separate them, leaving her little girl in the care of her brother, the late General David B. Morgan, of Louisiana history, he to become her guardian and protector, the old lady having never forgiven her daugher for her secret marriage with the hated Englishman. The dying mother insisted upon depriving her of any care for or interest in her child, and insisted on the brother's promise to guard and protect her little babe. In the late "secesh" war we have many analagous cases of the loves and hates of the female sex within the rebel lines—for bear in mind my great-grandmother was a rebel of Massachusetts.

We have a family story, which, as it concerns Washington, may be listened to with interest. My great-grandfather Morgan being one of General Washington's warmest supporters, was frequently visited by him

for counsel and advice. My grandfather, then young Boylston, was of course introduced and became acquainted with the great man on such occasions. In the course of the bloody war which followed, Washington in the early dawn was inspecting the outer or picket lines, when he discovered a British soldier in the act of leveling his musket on him. Whilst facing the man in expectation of the bullet, he perceived an officer dashing rapidly up to the man, and in the next instant disarmed him, with these words: "King George expects from you the duty of a soldier and not that of an assassin," and then sent him in under arrest. Washington, in bowing his thanks, begged to know the name of the preserver of his life. The response was: "At some future time I hope to have the pleasure of giving it." The General subsequently learned that the gallant officer was Captain James Boylston, and that he fell mortally wounded on the battle field the same day, and died on board of a transport shortly after. On relating the incident to the family at the close of the war, he begged to be allowed to adopt little Mary, as he was childless, in gratitude to the dead father. The family declined the honorable request. As time rolled on and peace and social intercourse had been established, my mother, then a girl of fifteen, with her uncle, visited the family of the Lord Chief Justice of Canada. While there she was struck with the resemblance of one of the portraits to that of her father in her locket, and while comparing the two, the old Admiral Holloway, of the British Navy, came hobbling by, and inquired why she compared them, and asked her who the locket represented. She replied: "My father!" "Who was your father?" "James Boylston, sir." "Why, that is James Boylston on the wall—my nephew;" and looking at the locket and then at her, said, excitedly: "That is he, and you are surely his daughter. Explain to me, child! I did not know of his marriage in America." She referred him to her Uncle David, who soon explained the matter of the private marriage with his sister and the unhappy circumstances following. The old Admiral became still more excited, from the fact that James Boylston being supposed to have died intestate, the large estates in England were inherited, with the name and title, by the eldest son of the Admiral, he being the next in blood. After looking up the proofs of the marriage, the Admiral insisted on taking young Mary to England, and as the rightful heir of the estates, to be vested with her rights, as a simple act of justice, though by so doing he would deprive his own son of the title and estates which he was then unjustly enjoying. The papers being all arranged, they in due time arrived in England. The son was required by his father to resign the property, titles, etc., to the rightful heir; the young man refused; the father denounced him as a dishonest man and a degenerate son, and proceeded to enforce the claim at law. Some missing link or flaw in the proofs was observed, which required a return to

America for additional evidence; he thereupon returned with her, and after having supplied the deficiency, was preparing to go back as soon as the next convoy would start, with renewed determination to oust his degenerate son, when death called the old man from earth and trouble. Feeling that his end was near, he called for Mary, the papers and the Lord Chief Justice, his son-in-law; placing the papers in his hands he exacted from his son-in-law a promise to proceed to England and enforce the claim of James Boylston's lawful heir and dispossess the degenerate son. As soon as practicable thereafter (the war against Napoleon then existing rendering a convoy necessary to cross the ocean), the Chief Justice and my mother were prepared to start in pursuance of the dying injunction of the Admiral, and in performing the last judicial act of his sitting—to wit, passing sentence of death upon the unhappy son of a dear friend—the shock caused the bursting of a blood vessel, and he died in his chair. Of course, this melancholy circumstance caused an indefinite postponement, and as there seemed a kind of fatality attending the prosecution of the matter she was loath to undertake it again, and as other sorrows soon after followed, plunging her into deeper grief, she abandoned the contest altogether, as she was not in need of the estates, having a good property of her own in America. Where the papers are I do not know. As the widow of the Chief Justice was the sister of the usurper, it is possible they were given to him, and, if so, soon to the flames. Some few years subsequently he visited my mother and proposed a compromise, offering to settle upon her one thousand pounds per annum for a quit claim. She indignantly ordered him to be gone, and never again dare to insult her in such manner. During the interval after the death of her friend the Chief Justice, she had become the wife of Captain Alexander Cameron, then stationed in Canada, who was taken from her by death, leaving her a widow with one son, and thus overpowered by continued sorrows, she declined to prosecute her claim any further.

The foregoing, as appended to a biography of the writer, is, undoubtedly, extraneous, if not irrelevent. I give it as a romantic circumstance, calculated to interest the American reader much more than the tame commonplace recital of the writer's experience, and much pleasanter writing to him.

Responding to the obligation of writing a smattering of the writer's acts and doings. My parents were prominent citizens of Savannah, Georgia. I was the youngest of four children, three boys and one daughter. After the death of my father, which occurred in 1829, my mother, then being reduced in fortune, was induced to remove with her children to New Orleans, by her uncle and former guardian, General D. B. Morgan. My eldest brother, the late Colonel William M. Smith, and founder of the town of Martinez, having run away to sea to get rid of

the pedagogues, they being too much of the Teddy O'Rourke kind to suit his temper, and, although he subsequently became a man of culture and refinement, it was acquired by his own exertions as responsive to the calls of a brilliant natural intellect. He was a boy of courage, wit and pride, and a favorite with his schoolmates, but was termed a "bad boy" by teachers—and, as such, was the recipient of hardships only, which he invariably returned in evil tricks upon the master, and instead of learning, hated books and schoolmasters in particular. My brother, Wm. M. Smith, having been an early pioneer of California, and founder of the town of Martinez, is entitled to more than a passing notice. The family resided in New Orleans in reduced, though fair circumstances; from there my brother James and I were sent north to school, in the Summer of 1833, and having been informed that the little town of Stonington, Connecticut, possessed a fine academy, a healthy climate, and good Puritan morals, and, as New Orleans, in 1833, was a bad place for boys, with its mixed population of American, French, Spanish, quadroon and negro, (Anglo-Saxons, Celtic and Teutonic races being classed collectively as Americans), there was a continued war of races kept up between the boys, the Americans, (Irish, etc.,) on the one hand, and the French, negroes, etc., on the other; many were the glorious victories won over the combined forces of the enemy. Neither Generals Grant nor R. E. Lee could claim higher credit than we awarded to our gallant Captain "Jim Connolly." Ned Warfield was First Lieutenant, my brother James was Second—of course, your humble servant was a junior in the ranks. We were not hoodlums, but patriots, engaged in maintaining the superior qualities of our race in a contest with numbers.

The *gens d' armes*, or police, being French, we regarded them as enemies, and, when in force, attacked them fearlessly—a war of races existed, and the boy who shirked duty was disgraced. Hence, the moral atmosphere of the little Yankee town was considered necessary as a wholesome antidote to the mental poison of that turbulent city. We were duly shipped on the brig *Citizen*, and consigned to Old Kirby, the Irish principal and proprietor of the Stonington Academy. My brother James, being three years older than I, refused to submit to Kirby's petty tyranny, and ran away and shipped to sea, leaving me alone at the age of twelve in that far-distant place, a complete slave, under a miserable tyrant. The people of the little town gave me the kindest sympathy. The little southern boy was especially invited to all child-parties, among the highest families, as a kind of compensation for Kirby's cruelty. Having succeeded, through the aid of a school-fellow, in informing my mother of the facts, (Kirby having withheld and destroyed my letters), I was immediately removed to the Lawrenceville High School, in the State of New Jersey, with Rev. A. H. Phillips as principal, and at which

school I remained till the Fall of 1835, at which time I returned south. While, during the nine months under Old Kirby, I had absorbed a little of the rudiments of education—yet to the Rev. A. H. Phillips I am indebted for what little I ever received from schools. Kirby governed by the rod, and in the true Teddy O'Rourke style—if the mind wouldn't mark, faith he'd soon mark the back—and as I could not stand his flogging, nor be a family "flunkey" at his house, we were in constant warfare, and instead of being morally or intellectually improved, he graduated me as a first-class hater of all Yankee one-eyed-Irish schoolmasters. Evidently my frequent battles with the old tyrant enlisted the sympathy of the townspeople, for my grateful memory recurs to and treasures many incidents of their noble kindness to the little stranger.

By contrast, allow me to return to the noble Phillips, and his gentlemanly tutors, at the Lawrenceville High School. Boys were taught to be gentlemen, and, as such, held to a strict responsibility—corporal punishment being the last resort, only prior to expulsion and eternal disgrace. The result of such treatment, (in lieu of the code of Old Kirby, as practiced by him under the "Puritanical system of Connecticut,") was the development of all the best elements of character—the intellect was stimulated and cultivated by the best of teachers, and the deportment of a gentleman being always required in the intercourse between pupils as well as with the teachers, who were companions as well as teachers.

In closing this subject, I must say that my practical experience of the New England system of education under "Kirby" at the Stonington Academy is not favorable, but, to the contrary, a damning record of the brutality of a prominent pedagogue, practiced in full knowledge of the people of that Godly and moral town upon a helpless child of one of the best families of the South, out of hearing and reach of his people, and for no other cause than refusing to be the house "flunkey" after school hours of the tyrant to whose care he was entrusted, through the influence of New England friends residing in New Orleans. The reader must not infer from the foregoing that I was by nature a "bad boy." To the contrary, I was kind and tractable, and not rebellious, except when glaring injustice aroused the natural spirit of my race. At Lawrenceville, under the noble Phillips, all the good elements of nature were cultivated; and reviewing the course of my early life, cast at the age of seventeen amidst the wild excitements of border life on the frontiers of Texas, I feel that to my friend Phillips I am largely indebted for those sound principles of true honor inculcated into my mind, acting as a chart of guidance through all the temptations of a varied life, exposed to the allurements of gilded vice of every form, when suffering under the usual poverty and want incidental to the adventurous youth.

So much for the two styles of educating. Under Kirby's training, my

Texan experience, in spite of a certain pride of blood inherited from my ancestry, would no doubt have inclined me to the bad—"for as the twig is bent the tree's inclined." Returning South, I joined my mother in Mobile, the family having removed from New Orleans. I remained there and at New Orleans till the Spring of 1839, at which time I arrived in Houston, Texas. Having been self-supporting after leaving school, I considered that to make a fortune it was only necessary to get to Texas, where I could soon be able to provide bountifully for my dear old mother, whose income had been reduced by successive misfortunes to a bare living. Full of hope, I sought employment in Houston, and, like the generality of foolish boys, got rid of my stock of money quite rapidly, till I found myself at the bed-rock with barely the color, when I attracted the attention of a noble gentleman, by name of Bancroft, through whose influence I found employment at a small salary in the office of the County Clerk. Soon tiring of the monotonous work of copying dry writs of law, etc., I secured a place more to my liking with a brilliant young merchant (Jno. W. Pitkin), where I remained only a short time, for, unfortunately, Norval-like, "I had heard of battles," and I "longed to follow to the field some warlike lord." And Heaven soon granted, etc., for that warlike lord, under name of Captain Willson, appeared in Houston with a company of volunteers recruited principally in Galveston and destined to the frontiers to fight the Comanche Indians and anything else worth fighting. The temptation was too strong, and away I went as a bold soldier boy, mounted on a gallant mustang, as volunteer in the service of the Republic of Texas.

We started out about the 1st of September, 1839, marching direct to the frontier. At San Antonio, Col. Carnes took the chief command, and after adding to our squad a band of scouts and a company of surveyors, under young Jack Hays (now our old Col. Jack of Alameda county), we boldly advanced into the heart of the Indian country. The Comanches, at that time, were the most powerful and war-like tribe of the western plains, but with Carnes, the most celebrated Indian fighter on the frontier, as our leader, we had no doubt of a successful campaign. The redoubtable Capt. Willson, of our squad, possessed a monstrous knife, it was intended as an improvement on Jim Bowie's knife, being larger and curved like a Moorish scimiter—I mention the knife because it was of more importance than the owner, and calculated, from its dimensions and bright brass scabbard, to give the owner a character of blood-thirstiness sought after by every bombastic coward since the days of old Jack Falstaff—seeing him with such a knife at the head of his command, and as he flourished it before the admiring gaze of his company, it is no wonder that in my eighteenth year, I selected him as leader to the field of glory. Carnes led us to the Indians on the waters of San Saba, a tributary

Thomas Murphy

of the Colorado. We killed some Indians; got from them forty-seven horses and mules, and after locating some Texas land scrip on what was supposed to be rich mineral lands, returned to the settlements. The most remarkable incident of the campaign was the killing of a "dead" Indian by our gallant Captain with his celebrated knife. We attacked the Indians in the early dawn of a drizzly morning, and as there were scarcely Indians enough to go round we soon finished up killing all but two or three, out of a war-party of twenty-four, led by the noted chief Isawakanee, which had just left the main body for an independent foray on the settlements below. In the grey of the twilight, after the scrimmage was about over, as I was returning to the Indian camp, a voice cried out, "Shoot that damn'd Indian over there; he is showering us with arrows." Two of us shot him, I think Col. Jack Hays and myself—he was down with a broken thigh; our bullets broke his arm and entered his body at the breast—he cried out in Spanish, after falling against some bushes: "don't kill me, I want to talk." As Col. Carnes, with others, advanced to hear him, not dreaming of danger from a man with only one available arm and leg, and a ball through his vitals, he noticed the bow at the feet of the Indian, when whiz came an arrow directed at his head. Knowing Carnes by his "red head" this chief had often tried to kill him, as the worst foe of the Comanches, and now with death upon him he hoped to accomplish it, and thus go to the Indian heavens with glory. But Carnes, ever watchful of a Comanche, saw the movement and dodged the arrow. With only one leg and arm available, he caught his bow with his toes, and with the agonies of death upon him fixed and pointed the arrow at his mortal foe. Excited by the treachery, Carnes cried, "Kill him!" etc., and the Indian was riddled with bullets, and fell back a corpse. Of course we admired the game and pluck of the Indian, and would liked to have saved him, but a Comanche seldom gives, and never asks quarter—he died as he had lived, the implacable foe of the white man. There was a kind of sympathy for the dead redskin among the boys present, but our gallant Captain appearing at the close of the action with his famous knife, and perceiving the conspicuous corpse, fell upon it with murderous blows, and fleshed his glorious knife in the body of an Indian—as *deal as a door nail.* Learning, from a Mexican prisoner held by the Indians as a slave and mortally wounded, that there was a large body—some five thousand or more—of Indians within a few miles of us, and as one had escaped on horseback, Carnes ordered an immediate return to San Antonio, which was done, Captain Willson being the only one of the company who had acquired a notoriety—he "killed *the dead Indian.*"

After returning to San Antonio, I joined a party bound to Mexico to take part in the struggle for independence of the people of the northern part of that country, comprising the States of Cohuila, Nueva Leon, Tamaulipas

and Chihuahua, then marshaling their forces against the Central Government. With about two hundred and thirty Texans, under the command of Colonel Jourdan, we were associated with from five hundred to one thousand Mexicans and Indians, resembling very much Falstaff's motley crowd of ragamuffins—better skilled in stealing than fighting. Interspersed with the Mexicans were a few old soldiers, but the mass was composed of vaqueros, Léperos and Mescalero Apaches—all first-rate soldiers on "retreat," either before or after the enemy; the two hundred and thirty Texans being allowed to do the fighting. General Canales was chief in command of the Federal forces—as our fellows were termed—and General Arista chief of the Central forces. The object of the Federals—as the Revolutionists termed themselves—was to restore to the several States the original sovereignty guaranteed by the Mexican Constitution of 1824, which had been changed to a Central Directory by General Santa Anna, and continued by Bustamenta, then President of Mexico, regardless of the Constitutional rights of the States. The Revolutionists, however, soon changed their plans, and declared for an independent Republic, comprising the four States mentioned, with the name of "Republica del Rio Grande," electing one "Vedauri" as President.

Like all revolutions of that unstable people, the leaders, after continuing a lively campaign for several months, Judas-like sold out to the Central Power for their thirty or more pieces of silver, and the poor Texans were compelled to fight their way back to the Rio Grande and into Texas, wiser if not richer men. There had been two attempts on the part of our patriot friends to deliver us over to the tender mercies of the Centrals, one at the city of Monterey on the 1st of January, 1840, and another at the town of Morales. Soon thereafter, at Monterey, I was informed that the price for which we were to be delivered was an ounce or doubloon per head. I never knew the price at Morales. As we were not parties to the contract, we fought our way out of the country, fully satisfied with our experience of Mexican patriotism. Of the many little fights of the campaign, the desperate valor of the Texans was always successful. The capture of a battery of four pieces loaded to the muzzle with canister, near the town of Mier on the Rio Grande, was one of the most gallant charges in modern history. Two hundred and twenty-five men charged a battery of four pieces, supported by six hundred of the flower of the Central troops. As they advanced in the open plain they were met with a shower of canister, at about two hundred yards distance, but falling to their faces at the first smoke of the priming, the discharge was measurably harmless. Rising to their feet, they dashed forward with the old Texan yell, shot down the artillery men from the already reloaded guns, turned them upon the six hundred then in mass and in close range, when up went the white flag. We had more prisoners than we

could guard, so had to send for our Mexicans to come from the far rear to take care of the prisoners. An amusing incident occurred in the beginning of this action:

There were in our mongrel crowd of patriots about two hundred Mescalero Apaches, and, to make them available, Colonel Switzer, one of our men, was detailed to lead them against the enemy. Switzer gallantly advanced his command, but receiving a harmless volley at long range, every Indian deserted him, and, as they swept by us, every breach-clout fluttering in the breeze, at a two-forty trot, the Colonel followed on his white horse, crying, "*Avancen! Avancen!*" being all the Spanish he knew. They continued to advance, but in the wrong direction to suit the Colonel, and as they dashed into the thickets and gulches, the disgusted Colonel gave up the chase of his flying soldiers, and dismounting, rejoined his old comrades in the front, and, in the subsequent charges, proved that there was one gallant man left of his regiment. Though the famous Apache appears to make a success of fighting Uncle Sam's Regulars in Arizona, his reputation with us was that of a first-class coward.

Returning to Texas without glory or money, I made my way to Houston with one companion. In Victoria, on the Guadaloupe, a friend gave us a three-dollar Texas red-back, worth twenty-five cents on the dollar; with that we had to cross three ferries and make a distance of over two hundred and fifty miles through a wet, flat country. Being too proud to beg or steal, and having given my trusty rifle to a friend on the Mexican frontier, reserving my side arms only, and my companion having a Mexican *scopet*, or short musket, to scare off Indians only, and unfit for use, as it had no flint, we could kill no game; we consequently traveled like General Hardee's soldiers—by doubling distance at half rations. The route was full of amusing incidents, but in crossing the last ferry (a ferry was our *bête noir*), at the town of Richmond, on the banks of the Brazos, we feared trouble. The banks were too miry to allow our mules to reach the water for swimming, and a mule is a bad swimmer. We were told that "our kind" would be required to pay in advance, and, as we had no money, the situation was desperate. We were within forty miles of home, and the river must be crossed. I boldly called the ferry-man from the opposite bank. He was one of those trustworthy ancient privileged negroes of the olden time, known far and wide as "Old Cain," and fearing his scrutiny of our shabby plight, I allowed him no time to consider, assuming a patronizing manner in hurrying him off with his boat, plied him with a constant stream of questions, allowing scarcely time to answer till we were on the other side, when, on leaving the boat I said to him: "Uncle, I'll return soon and pay you this ferriage." He replied in a dejected tone, "Dat's wat dey all tells me," and dropping his head and looking at me from the

corner of his eye, accompanying his words with the motion of his head. "I does spize dese poh white folks." Being amused instead of insulted, I passed out. A few days thereafter I had occasion to cross his ferry again.

My old employer, John W. Pitkin, of Houston, welcomed me back, and after the barber and tailor had finished with me, sent me to Richmond and vicinity to purchase several crops of cotton from the adjacent planters, my judgment of that staple being first-class. Mounted on the magnificent thoroughbred of my employer, with all the barber and tailor could do for me, I appeared at the ferry of the redoubtable Cain. In the most polite and obsequious manner, the apron of the flat was arranged to admit my entrance; after crossing I drew out my pocket-book, displaying a large roll of bills, and desired to know what was due him—"one dollar, sah," with his hand to his hat. "But I owe you for two ferriages more." "Isn't .you mistaken, marssa? I never seed you afore." "I'll remind you: I was riding a handsome brown mule, my companion a white one, and when I proposed to pay the ferriage on my return, your reply was that you "despised poor white folks." "I declar to God it warn't dis nigger; I nebber talked dat way to a gentleman, in my life. 'Twas some odder nigger, shoh. I can't take dat money, marssa; let dat miserable nigger get it hisself. You owes me de one dollar, and no mo. I never seed you afore!" Almost bursting with a desire to laugh, I pretended to believe him, and paid the one dollar only. So much for appearances. My friend, Pitkin, the following year, closed his business in Texas, and not finding employment to my taste in Houston, and having acquired strong relish for the sports and excitements of country, and frontier life in particular, I began a roving existence in search of fortune and pleasure over the lovely praries of Texas—the "Beautiful," as its name signifies in the Indian tongue. In the latter part of 1842, after having disposed of a good deal of the "wild oats" of young manhood, the fortune still *non est*, and the pleasures very much mixed with pain, I found myself among strangers, "dead flat broke," and just recovering from a severe attack of malarial fever. Too proud to loaf on the generosity of the country people, and unwilling to write home for help, and thus confess my poverty, I concluded to attempt the art of agriculture as the only field of progress open to my enterprise and capital, and as "he who by the plow would thrive, himself must either hold or drive," I began operations in my new sphere as captain, or navigator, of a pair of Texas steers attached to a plow. I had learned to steer a boat and also to manage a pair of carriage horses, but the most difficult task I ever undertook was to make a success of this last institution. The oxen appeared to recognize a "greeny" at the helm, and were in a constant state of mutiny; the plow would plunge to the beam, then porpoise like, rise to the surface and skye to the right, then to the left, and had it not been for the natural combativeness and pluck

of the captain, the first lesson in agriculture would have ended in a failure. But as *perseverentia vincit omnia*, I finally graduated as an agriculturalist, and especially as a manager of the Texas steer, through whose aid (five or six yoke of them attached to a prairie "schooner") I ascended from the bed-rock of poverty and misery to the position of a respectable merchant.

In December, 1848, I married my first wife, then Miss Adeline Bramlette Durham, the fourth daughter of Colonel Thomas Durham, the seventh son of John Durham, of Chappel Hill, North Carolina, and Elenora Thompson, the only daughter of William Thompson and Mary Jane McMullen, of same place. Colonel Durham was a representative man in the early settlement of Durhamville, Tennessee, Lexington, Mississippi, and subsequently Central and Western Texas. The varied and exciting history of my Texas life would make a fair romance; but as history and not romance is the object of this writing, I will state that in the Spring of 1850, with my young wife, I left Texas for California, arriving in San Francisco on the steamer *Tennessee*, on the 20th of June. There were many incidents of the trip from New York *via* Panama, illustrating the grand rush for the gold fields of California, and the trials and tribulations of that first lot of twenty modest and respectable ladies, some with their husbands and the rest under escort of friends coming to join their husbands who had preceded them.

The passage from New York to Chagres, in the steamer *Philadelphia*, Captain Pierson, was a pleasant one, the monotony being broken by the putting in at Jamaica, for the purpose of landing Mrs. John McDougal, wife of the Governor of California, she being dangerously sick. The Pearl of the Antilles was then a Negro Heaven—all lately enfranchized and above work. The plantain trees and fish of the bay furnished food, clothes in that warm climate being a superfluity, the free Negro really "surfeited" in the luxury of laziness. Arriving at the bay of Chagres, the sea being rough it was a trying time for ladies to disembark, leaping from the ladder at the ship's side to the small boat, and into the arms of strong men prepared to catch them as the rising wave lifted the boat to the ladder, receiving each one a genuine hug, as she fell into the arms of her catcher, no doubt beneficial to those wives coming to meet husbands and so long deprived of a good manly hug.

Arriving at the town, their modesty was shocked by the necessity of huddling with the crowd in the temporary hotels, or shelters improvised for men only, as lady passengers had been few up to that date. The private rooms for our ladies of these hotels were eight-by-ten spaces, on a common floor, divided by partitions of thin muslin or "butter cloth," the doorway to each being a curtain of the same. This shock to the modesty of pure and refined women was only a precursor to the trials of the river trip of three or four days, in dug-outs, with native negroes as

oarsmen, in the garb of Father Adam, without so much as a fig leaf covering. Such being the circumstances, each and every one of the male passengers, from the roughest to the most refined, appeared to vie with each other in delicate sympathy, rendering every possible protection to them which could have been given to their own pure mothers and sisters.

My party, consisting of my wife, then nineteen years of age, my friend, James F. Quinn, and a negro man-servant, fared somewhat better. After inspecting the room at the hotel, and leaving my wife under the guardianship of the gallant Major Chase, the veteran of Chapultepec fame, I started out to look for better quarters, when, with much joy, I learned that my cousin, Captain David B. Morgan, with his steamer, the *Telegraph*, was moored in the river above the town. We lost no time in getting aboard his ship. Abandoned by his crew, he was keeping ship with only a cockswain and two negro boys. After remaining with him two or three days, he kindly loaned me his yawl, or gig, and the cockswain having agreed to manage the boat, procured the services of two native oarsmen, and thus we ascended to Gorgona, the natives being persuaded by the muzzle of a pistol to keep their "calsoniz," or drawers, on in the presence of ladies. Through a letter of introduction to the Alcalde of Gorgona, from my brother, (the late Col. Wm. M. Smith), I readily procured a full equipment of horses, mules and peons, for the passage over the summit to Panama. After passing the summit, in advance of our baggage, we stopped at a canvas hotel for lunch and rest; there we were told that a state of war existed between the natives and Americans at Panama, and that the natives, having been repulsed at the city walls the day before with the loss of several of their number, were mustering in force for another attack on the city. This, of course, was alarming, but not liking the looks of the landlord and his crew of New York roughs, Quinn and I concluded there was less danger in running the blockade through the native negroes, than trusting to our own countrymen of that stripe. Arriving at the outskirts of Panama, we came upon a dense pack of some three hundred mixed bloods and negroes being harangued by a tall negro apparently under great excitement, but having determined that there was less danger in forcing a passage than retreating, each of us having had some experience in fighting the *warriors* of Mexico, we dashed forward at a quick gallop, my wife and I in advance, Quinn next, and the colored servant in the close rear! We were then inclosed in a kind of street-way, between huts, and close up to the pack of natives. The danger was imminent, but the guarded wall of the city was in sight. My wife, mounted on a splendid animal and accustomed to the saddle, was directed to go for the gate, regardless of what might occur to the rest of the party, and to sit close to the saddle, as I expected to shoot a lane through them. At our approach the crowd opened a lane of about

ten feet, but the orator and captain planted himself across the center, facing us, apparently intending to stop us. Cautioning my wife to hold her seat, I spurred a little forward, with pistol cocked, but concealed at my side, and when about to shoot him at the front of her horse, he stepped to one side, exclaiming, "Ah que boneta y tan galan!" (oh, how pretty and so gallant)—and we swept by, unmolested, to enter the gates and receive the hearty congratulations of our people inside at our lucky escape. Ladies, crossing the Isthmus at that time, were either transported in chairs on the backs of sturdy natives, or sat astride of the gentle mule or horse, led by a native on foot. To the contrast of all this, our "lady," with youth and a fair share of beauty, with proper riding-habit, and a gay feather in her hat, in side-saddle, on a splendid animal which she gracefully sat and controlled, was a thing of beauty, which caused the gallantry of the man to overcome his combativeness for the moment. She was the first lady to cross the Isthmus in the proper style of her countrywomen, and to that circumstance only we considered our safe passage due. There was some little skirmishing that night—the Americans, with the local police, guarding the walls through the night.

On the first of June we waded to the boats, some hundred yards from the beach, and were transported to the steamer *Tennessee*, off Toboga island. An incident at Acapulco on the way up where the ship stopped to coal, was a famous "mule race," in which some of California's prominent men figured as first-class jockeys, proving, as of old, that "the race is not always to the swift." Charlie Fairfax, Bob Post and Sam Dwinelle, wandering in the outskirts of the town, fastened on a pair of mules and immediately began racing; Charlie's mule, though much the fastest, would invariably fly the track, and being summoned by the trio to aid with counsel, I agreed with them that the slow mule would undoubtedly prove the fastest. So a race was declared, and the sporting passengers of the steamer repaired to the track to bet on the race between Bob Post and Charlie Fairfax. As expected, Charlie's mule was the favorite, but the insiders, believing in true Christian faith, that "the battle is not always to the strong, nor the race to the swift," in meekness of spirit accommodated the friends of the fast mule by taking all the bets offered. The mules were started, and in spite of Charlie's desperate efforts, the fast mule came near winning, and if the outcome judges had not closed in a little would have come out not only ahead, but the winner of the race, to the chagrin of the insiders. But after a furious squabble another race was ordered, in which the fast mule vindicated his true character by dashing squarely out into the chapparal and leaving the race and stakes to Bob and the slow mule. Of course, Charlie was accused of throwing the race, which was indignantly repelled. We won the stakes, were all denounced as a pack of frauds, and accused of playing on the innocents.

After remaining in San Francisco a day or two, which looked much like the camping ground of an army, with white tents covering the surface where now its finest edifices are erected, we embarked on the sloop *Sweetheart* for Martinez, the expectant city of the Straits, where we were kindly received by Aug. Van Horn Ellis, the agent and town clerk of the embryo city, he kindly yielding to myself and wife his comfortable quarters adjoining his office, taking our meals at the Hotel de Steward, kept by a colored man and retired ship's cook by name of William Jones. Steward furnished his table bountifully with hard-tack, pork, beans and beef; potatoes, onions and vegetables were not then provided to any extent in Contra Costa county, and consequently were a rare luxury in the early history of Martinez. The population was truly a mixed one, the Nantucketers and Pikers being in the ascendency, and though as totally different in habits, customs and vernacular as is possible for people of one common country to be, yet as harmonious as doves, the Pikers furnishing their aristocracy with the titles of Squires, Judges and Colonels, while the Nantucketers were nearly all Captains—a preference for "flapjacks and bacon" on the part of the former, and "hard-tack and codfish" that of the latter, being the principal distinction. The public institutions were the aforesaid Hotel de Steward; two stores, one kept by J. C. Boorham, and the other by Theodore Kohler; the Alcalde's office, presided over by Thomas A. Brown, with Nathaniel Jones as Alguazil or Sheriff; and the ferry scow, commanded by Judge Hunsaker. Benicia, on the opposite shore, was another embryo city, already possessing a good start, with the United States navy yard, barracks and custom-house, and with the machine shops, dry docks and iron foundry, to be erected by the Pacific Mail Company at Fisherman's Cove, on the Martinez side, the ground having been tendered by Colonel William M. Smith and accepted by Captain Stout, the agent of the company. As the selected site was not included in the survey of the town, and Colonel Smith having neglected to procure a quit claim from the heirs to the company for the then comparatively worthless tract of thirty acres of wild, rough land, and during his absence to the Atlantic States some of the heirs, prompted by feelings of jealousy towards Smith, refused to make the title as agreed upon, except at an exorbitant and unreasonable price, Stout, having in the meantime received favorable overtures from the people of the Benicia side, immediately began the erection of the Pacific works on that shore—eventually abandoned by the company, the tule land proving unfit for heavy structures.

Thus for the stupid jealously of some of the Pinole heirs, Smith's pet town, in which they were jointly interested, after a few spasmodic struggles declined into a "Rip Van Winkle sleep" until awakened by the

snort of the "Iron Horse" to a contemplation of what Martinez, with its proximity to the mines, might have been under the attracting influence of the wharves, dry docks, foundries and machine shops of the company, drawing to it, if only for repairs, the whole commercial fleet of the Pacific. Happening with my brother at the office of the company in New York, April 15, 1850, when the change of locality and cause was explained, with intense disgust at his co-owners in Pinole Ranch, he exclaimed, "d—n them, they have blasted the hopes of the town and my work is lost.' Continuing my personal narrative, my destination being "Pinole," the home of my brother, we soon took horses and left Martinez, and after a romantic and pleasant ride in the midst of a gay cavalcade, consisting of some American friends and the gaily dressed retainers of Don Vicente Martinez on fine horses, all richly caparisoned with gold and silver mounted trappings, and the females of the family ensconced in the peculiar carriage of the country—yclept "Correton" or "Dobie Cart"—we duly arrived at the residence of my brother in Pinole, where we were kindly welcomed by his wife, the leading lady of that once proud and happy family of native aristocracy (the Martinez and Castros being the most refined and wealthiest families of the upper district of the Contra Costa). How different now is the status of the remnants of those once proud and imperious families, with their wealth of domain comprising half the area of the county, with cattle and horses in immense numbers covering the thousand hills and valleys. The contact and contest with the Anglo-Saxon race for thirty-two years, leaves them mere beggars at their own threshold, now the property of the stranger.

The product of the gold placers being wonderful, I was anxious to try my fortune with the rest, but my brother having arrived from the East, on the July steamer, prevailed upon me to settle down as a rancher. I thereupon began fixing up for my family, on what was then called the "Ward and Smith League" of the Sobrante, now known as the old Smith ranch of San Pablo creek. Having hired several American farmers and sailors, at the monthly wages of seventy-five dollars, I soon had some shanties erected, a field fenced, and good corrals built for the stock, and after the rains began, started some plows to turning over the virgin soil for the future crops. My eldest son, William Quinn Smith, was born at the Pinole ranch on the 11th of December, 1850. The mother having passed the Winter at my brothers house, returning to the new ranch, after the Spring rains were over, with her young babe. With five hundred head of cattle, one hundred head of horses, a league of land, a young wife and baby boy, under a good shelter, with a cultivated field of barley wheat, corn and vegetables, I was as happy as a lord. My nearest neighbor, some three miles distant, on the only wagon road out to Martinez, was Squire Elam Brown—the Patriarch of his settlement, who still lives

honored and loved by all of his old acquaintances, as a true type of "God's noblest work."

I remained on this ranch for two years, where, as a kind of outpost of the inner settlements, I was continually battling with the grizzly bears and marauding caballeros, not yet reconciled to the Gringo. While riding into Martinez one day alone, I saw two of these caballeros approaching at a gallop. One of them began preparing his riata, evidently with the intention of throwing it over me in passing and jerking me from the saddle with deadly force. Perceiving his intention, I reined out about twelve feet, holding my cocked revolver under my Talma cloak, and continued to meet them. Instead of reining out to pitch the riata with one quick motion, or whirling it to reach me, he muttered "Caramba!" and dropped the coil in the road. As he did that I remarked, "Bien echo armigo," and returned my revolver to the holster at my side as we passed each other. The lasso or riata was more dangerous in skillful hands than firearms, and had I not been skilled in its use through my Texan and Mexican experience, and thus able to detect the intention in his movements of preparation to throw, I would no doubt have been instantly killed by the jerk to the ground. My playful friends were Joaquin Murietta and Three-fingered Jack, his lieutenant, desiring a little playful practice on a "Maldito Gringo." Being twelve or more feet distant, requiring a whirl of his riata to reach me with certainty, his prudence saved his life when he threw down his rope—being as certain with my revolver, from long practice, as he with his rope. Those playful tricks were quite common in the early settlement of California. It must not be understood that the native Californians of this county were of the above description; to the contrary, they were kind and generous in the extreme to the way-worn pioneer seeking a home.

Removing to the Bull Head ranch near Martinez, in the Fall of 1852, where I engaged in farming on a small scale, and stock raising, having reconveyed my interest in the Sobrante to my brother, who was then suffering under severe financial difficulties, I began another start by investing in gentle cows and hogs—the former at one hundred and fifty dollars per head, and the latter at fifty cents per pound, with poultry rating at from fifteen to twenty dollars per dozen. I soon had the tules stocked with hogs at heavy cost, expecting a small fortune in profits. But as the "best laid schemes of men and mice, gang aft agley," ship after ship arrived from the Pacific islands, laden with that peculiar breed of hogs known as "razor blades," or "wind-splitters," and down went the price through excess of importation, below cost of production. I closed out those most convenient at two cents per pound, the remainder and larger portion being given their independence in the tules. Speculations in lumber, nails, tobacco, whisky, etc., frequently brought ruin instead of

A. Gekringer.

fortune to their unfortunate owners, and to show the fickleness of the times, flour had been held at fifty dollars per barrel, during the time of '51–'2, with many other articles of daily necessity in like proportion, depending upon the supply at hand. In the Fall of 1853, the county, having become thoroughly populated by an intelligent people settled upon almost every available one hundred and sixty acres of the surface, with schools, churches and established law in full progress, I was elected to the office of Sheriff, with its emoluments, and especially with all its resposibilities. As custodian of the lives and property of the law-abiding citizens of my county, in their struggle with the murderous thieving element then surrounding us, I was fully taxed for all the executive force of my nature, to give them the protection of our laws. There was another force spasmodically rising among the honest and brave settlers of the county, still more dangerous than the murderers and theives constantly prowling around. It was the "mob spirit," or "lynching mania," often rendered necessary through inefficiency of law in early days. In all my experience the most trying and dangerous position in which I was ever cast was that of maintaining the majesty of "civil law" against the votaries of Judge Lynch, maddened by excitement, attempting to override and crush out the most sacred rights of man, guaranteed by that grand code of jurisprudence and proud boast of the Anglo-Saxon. When interposing between his own respected friends and neighbors in protecting the prisoner of the law, to be forced to drop the muzzle of his pistol covering the face of his nearest advancing friend, crazed with temporary madness, is the most terrible ordeal of an officer. It is to do, or not to do, in an atom of time, for stern duty forces action, and the feelings of the man must yield to the necessities of the occasion.

Enjoying in a high degree the confidence and respect of my fellow-citizens, and having on several occasions succeeded, through a little firmness and tact, in holding this turbulent spirit subservient to law, it was my misfortune only once to be placed in the above described position: It was in Martinez, in 1854. Some several prisoners broke jail, three of them held for and one sentenced for a horrible murder, and a common horse-thief or two. The excitement had been intense. I was continually alarmed by reports of the organizing of lynchers from the home of the victim, on the San Joaquin, and from the then notorious mob element of the Redwoods. The town element was held moderately quiet, through the influence of the best citizens exerting themselves in behalf of the civil law, at my special request, when the horrifying, panicky cry of "The murderers are out!" fell upon my ear. Rushing to the scene, and after capturing and returning the nearest to the jail, two of them (one being the condemned man) being snugly hidden and thus causing a delay

in the search, a large crowd had assembled, and rushing upon me in a state of frenzy, crying: "Hang them!" "Ropes!" etc., etc. Being at the bank of the creek, with my hand on the sentenced man, I could feel him shudder at the sight of the surging mass in front (though afterwards, at his execution, exhibiting a wonderful coolness.) Warning them, over the pistol barrel, the sight of a good honest face in front of the muzzle almost staggered me into cowardice, when just beyond, in the line of range, I discovered the tall head of a noted mob leader and would-be desperado who had refused to aid me in upholding the law, and who had provoked me to the utterance, "that finding you in any crowd interfering with me in the discharge of my duty, I shall select you as the leader, and if my right arm fails me," etc., etc. With intense relief I raised the level to his head, and, as he caught my eye, he cried out: "As the Sheriff's got them, boys, let the law take its course." With the advantage of this temporary check, and using the tact of calling them to my aid in guarding the prisoners but a few days, when we would execute them by law, and thus as good citizens they would escape the indelible stain of blood and the outrage of that law so necessary to their own safety. Men who had no fear for pistols listened to reason, and thus I was enabled to perform the crowning act of my sheriff's term. The men were returned to jail, and a few days thereafter the sentenced man was executed, in the presence of over two thousand quiet and contented citizens of the State from far and near. Nothing but the ordinary duties of the office occurring till the close of my term, and the old Whig party, of which I was a member, having collapsed, and declining membership with either the Democratic or Know-Nothing, the only two existing parties, and running without a party, and neglecting to canvass the county, to the surprise of my friends, I was beaten by the small majority of thirty-five votes, through a combination of the Know-Nothings with the Democrats. The following term, the fees of office having been reduced below what I thought commensurate with the value of the service required, I declined a tendered nomination of the Independents for Sheriff and accepted that of Assessor, to which I was triumphantly elected in 1857, with a majority over the Democrats and Know-Nothings combined. Having voted with the Democrats after the fall of the Whig party, in 1856, and aiding materially in the success of the former, I was tendered and accepted the position of First Assistant Engrossing Clerk to the State Senate, in 1856-57, and, believing myself a full-fledged Democrat, the following Fall I was induced to ask the nomination at their hands for County Clerk. Appearing at the threshold of the convention with a strong delegation, I found myself assailed by a large portion of my "new friends, but old political foes," with the epithet of "*Whitewashed Whig*," *only coming*

into the party for office. Perceiving the probable effect upon the "unwashed" members, of this unfair stigma, I prudently retired, and the convention nominated undoubtedly a better clerk in the person of our present incumbent, L. C. Wittenmyer, whose only crime—"Linked with a thousand virtues"—was that of becoming a Republican.

My family history goes back to 1854, when my dear and noble brother was carried to his grave at the early age of thirty-nine. Not only was he the founder of Martinez, but, as the partner of the firm of Ward & Smith, one of the founders of San Francisco's commercial greatness in 1847–48, as successors to Liedesdorf, of *ante-bellum* fame. My old and truly venerated mother, after having joined her two remaining children in California died in February, 1857, revered and honored far and wide; cradled in the Revolution, and during her early and long widowhood the social drawing-room companion of Jefferson, Madison, Webster, Clay, Jackson, and other bright stars of America's galaxy of greatness—she was a living cyclopædia of her country's history. Her memorable prophecy of the immediate future I can never forget, given immediately after the election of Buchanan, she solemnly said: "My son, this is your last Democratic President for a long period, and perhaps forever. Republicans will be the next, and Secession will follow, and may a *kind God close my eyes ere I see that sad sight.*"

After the close of my term as Assessor, having in the meantime removed to the country and again assumed the life of a quiet farmer, engaged in grain and stock raising, I have continued to follow this monotonous course of life, only broken by being called from home as a member of the commission appointed by the Court to partition the grand old Rancho de Pinole among the heirs, and as a Democratic candidate for Sheriff in 1871, when I was most ingloriously defeated by the Republican nominee, though running two hundred votes ahead of my ticket. My poor Spanish friends informed me that they were required to vote the entire Republican ticket without a scratch, in order to secure the promised "vienta reäles," or two and one-half dollars. My patriotism being much diminished, I again retired to the shades of pastoral obscurity —high in health, though low in funds—yet rich in the possession of a true and loving wife, and as fine a family of girls and boys as can be shown by any other pioneer in the State.

In concluding these pages, while clouds of misfortune have continually hovered over my financial progress, I have a right to claim a fair share in the development of the advanced civilization surrounding us. Having planted the seeds of progress upon what was considered a barren coast of the Pacific, we live to see them fructified within a few short years—their branches spreading, laden with the fruits of enterprise, challenging the admiration of the civilized world.

NAPOLEON B. SMITH.—Here we have a pioneer of pioneers, with a residence in Contra Costa county dating from the year 1845. Mr. Smith is the son of Timothy S., and Susan (Crappin) Smith, and was born in Harrow (now Erie) county, Ohio, March 2, 1818. When an infant he was taken by his parents into the wilds of the territory of Michigan, his father being at the time in the employ of the United States Government, and afterwards took charge of the trading post, being subsequently, on the admission of the State into the union, elected to the State Legislature. Our subject received his early schooling in Michigan, and there dwelt almost continuously up to his departure for the shores of the "Peaceful Sea." Four years of this time he passed in Wisconsin, in the employ of the American Fur Company, where he had no associates other than Indians. In the month of August, 1845, in company with his brother, Henry C. Smith, and Phillip Mendenhall, the subject of our narrative started to Independence, Missouri, where they joined the train piloted and captained by L. W. Hastings, to cross the then little-known route over the plains to California. All went well with the expedition until Fort Laramie was reached, where on account of a predatory band of Indians they suffered ten days delay. The party now had Mr. Bridger, as guide who, after many hair-breadth escapes, brought them safely to Sutter's Fort on Christmas Day, 1845. For the first month of his stay in California, Mr. Smith found employment with Captain Sutter, and in the following Spring, he came to the San Antonio redwoods, where he worked until the discovery of gold on January 19, 1848. He then started for the mines with Hon. Warren Brown, and first tried his luck at Mormon Bar, but after a short time removed to the house of his father-in-law, when with his wife he proceeded to the Mission San José, and there conducted a store until the latter part of 1849, the meanwhile being engaged in freighting by water to the embarcadero near the mission, from San Francisco, at times receiving as high as five hundred dollars for the conveyance of a party of a dozen passengers between these two points. On closing out his business at the mission, he came to the Contra Costa, located in the village of Martinez, where he engaged in merchandizing, and on the formation of the county, was elected to the office of Assessor, he being the first to assume the functions of that position in the county. In 1852, Mr. Smith was elected to the State Legislature then holding at Vallejo, and was a member of that body when the archives were removed to Sacramento. It should also not be forgotten to mention that Mr. Smith was a member of that small band of intrepid pioneers who raised the historical "Bear Flag;" under its folds captured the garrisoned town of Sonoma, June 14, 1846, and subsequently declared the independence of California. On his return from his duties in the Legislature, Mr. Smith resided in Martinez until 1857, when he purchased and moved to

his present ranch of four hundred acres located in the Alhambra district. Here he resides and engages in fruit growing and farming. Married at the Santa Clara Mission, April 18, 1847, Miss Margelina, a daughter of Hon. Elam Brown, a native of Illinois, by whom he has eight children: Frank (the first American male child born in Contra Costa county), born January 30, 1848; Lawrence M., Sarah C., Louis N., Ellen J., Elam, Timothy S. and Warren C.

REV. W. W. SMITH.—And the Rev. Joseph H. Smith, twin brothers, two of the earliest pioneers of Contra Costa county—the latter of whom died in New York of the Pacific, February 5, 1850—are two gentlemen inseparably connected with the history of Township Number Five. Their father was Samuel Smith, who was the son of Colonel Samuel Smith, of Lee, New Hampshire, celebrated as a bold soldier during the war of the Revolution, the son having enlisted in the war of 1812, in which he lost his life. The mother of the subjects of this sketch was the daughter of William Wiggin, of Durham, in the same State, a quaint little town. In the district of Packer's Falls the twin brothers attended school, and received the ground-work of that education which made them, in after life, the teachers of men. When twelve years of age the two brothers, with their mother and the rest of the family, joined the Christian church, while he whose name appears at the head of this narrative commenced to learn the trade of a carpenter. When arrived at a sufficient age, William and Joseph Smith were placed, by their mother, on farms, there to use their industry, but being separated only acted as an incentive to strengthen the brotherly love which already existed between them; at the age of seventeen the first-named was regularly bound apprentice with Mr. Cram, of Meredith, a carpenter and house-builder, which, in due course, with much application, he mastered, both in its practical and theoretical phases. After working in Pittsfield and various other places for some years, we find William Smith in business on his own account in Lynn, Massachusetts. The two brothers married at New Market, the home of their mother, at the same time and place; William W. Smith to Miss Lavina Sanborn, and Joseph H. with Miss Sarah Lamper, the date being March, 1833. Subsequently these two brothers were the means of organizing a Christian church in Lynn, and two others in the township, while the benefit they worked in religious instruction was great. Owing to stagnation in business during the years 1836–37, William Smith resolved to return to New Hampshire, but Joseph removed to New Bedford, Massachusetts, continuing his religious labors; he became pastor of the Kempton-street church. About the year 1840, when on a visit to his brother, William entered the ministry, and commenced his ministrations in Westport, Bristol county, Massachusetts. On July 22, 1841, he was ordained

and on that same day baptized fifteen converts. Having filled their sacred calling in different places, William moved to New Hampshire, and married his second wife, Miss Jane C. Crosswell, of Rehoboth, Massachusetts. The Smiths were of those that think a man may not have too much education; therefore at the age of thirty-three years we find them both studying the higher branches under Mr. Richmond, a graduate of Dartmouth College; William W., since coming to California, writing a scientific pamphlet, entitled "Celestial Dynamics: The Mechanism of the Tides, the Science of the Magnetic Current and the Source of Electricity," a paper replete with much interesting information and instruction on the rather abstruse subject. In or about the years 1843–44, Rev. J. H. Smith commenced the publication of the *New Bedford Reporter*, to which he contributed many pieces of verse of more than average ability, while both worked together with one accord in their religious and secular avocations. Joseph Smith remained in New Bedford until the intelligence of the discovery of gold in California was received, when he sold out his interest and returned to New Hampshire to visit his mother and her family, and to gain her permission that he and his twin brother should go to California. Her answer was in the affirmative, and thus were matters put in train for the start. On January 11, 1849, the brig *Forest* and ship *Edward Everett* sailed in company out of Boston harbor for the Golden State, the former having on board the Revs. Joseph H. and W. W. Smith, J. C. McMaster, now of Antioch, besides some fifty others. The weather was almost arctic in its intensity, the rigging being frozen stiff, and the brig's sides covered with a thick coating of ice, making the task of getting under way no easy one. Once out of the port, however, a spanking breeze drove them onwards into the Gulf Stream, where all traces of the rigid ice dropped off, and the voyage actually commenced. The journey was uneventful up to the time of reaching the coast of Brazil, when they entered the port of St. Catharine, sixty days from Boston, where considerable repairs were undertaken. Of this break in the monotony of the long voyage Mr. Smith tells us: "The change from the frosts and snows of New Hampshire to the warm, dry, clear weather of the tropics was an enchanting one; lemons and limes were just coming to maturity, while the supply of other tropical fruits appeared to be inexhaustible." His remarks of the city of St. Catharine show the town to have been as quaint as were the customs of the people. Wharves there were none, therefore the landing from boats was effected on the open beach; the place was innocent of drays or carts; goods were rolled through the streets in barrels, or packed on mules, or on the heads of men and women, while the children wandered about the streets in a blissful state of nudity. All defects being made good, the brig sailed from St. Catharine on April 11, 1849, and in course of time arrived off the entrance to the Straits of

Magellan in a heavy gale. Off the Falkland Islands a terrific storm was encountered, when two men were lost overboard; however, the famous Cape Horn was rounded, the voyage up the Pacific Ocean was made, and on July 6, 1849, the *Forest* and her freight of eager souls sailed through the Golden Gate and cast anchor in the beautiful harbor of San Francisco. Some three or four hours later came the ship *Edward Everett*, which, it may be remembered, sailed from Boston on the same date, and had not been sighted in mid-ocean at all. Rev. W. W. Smith says: "As we gazed upon the shore from the ship, nothing but a city of tents could be seen. Before leaving the vessel, the Captain called us on deck to have a friendly chat before bidding each other farewell, and separating on our various ways. Arriving on shore we found but five American families in the city, the balance being Mexican and Indian." Finding that carpenters were in demand, the two brothers agreed to go to work at a point at the mouth of the San Joaquin river, some fifty miles from San Francisco, whither they took passage in the schooner *Rialto*, and arrived at New York of the Pacific July 11, 1849, just six months since sailing from Boston. About this time Colonel J. D. Stevenson and Dr. William Parker had purchased a part of the Los Medanos Grant, from José Antonio Mesa, the original locator, and had sent up the lumber, fixtures, etc., to commence the building of a city, to be called New York of the Pacific. W. W. Smith, being a practical architect and builder, was engaged at fourteen dollars per day to take charge of and superintend the building of a house for the two families, who, for the present, had only a tent for protection. Mr. Beener lived at New York, and José Antonio Mesa and family lived two miles further up the river. Mr. Mesa's house was built of split redwood logs stood on end for the sides, and was covered with tules in bundles for a roof, with a hole in the center to allow the smoke to escape, and contained two rooms. The next morning the news of their arrival had spread, and Dr. J. Marsh came down to these two new families, and offered the hospitalities of his home, fifteen miles distant. He supplied horses for the parties to ride, and they entered a well beaten trail that led up the creek to the Doctor's house. They found the Doctor enjoying a siesta, stretched at full length upon the hairy side of a dry hide, in the grove at the back of the house, adjoining his vineyard. The Doctor gave them a hearty welcome, and took them into his house, made of adobe, and containing four rooms. He had not dishes enough to set the table for them. It was then the custom to roast the meat upon sticks before the fire, and to bake bread in the ashes.

Having taken a look at the land while on their visit to the Doctor, W. W. and Joseph H. Smith, on the 19th of July, 1849, took up jointly two quarter-sections of land, one upon which Antioch is now situated, the other upon which W. W. Smith now lives, working upon them sufficiently

to hold them, and continuing their labors at New York of the Pacific. New York of the Pacific was fast becoming an inland city, and the harbor was full of vessels, with men and cargoes for the mines. At the first election under the new Constitution, in 1850, they found, on shore and on ship-board, that they had from five to eight hundred voters, when all were at home. Business continued to increase, and the New York House, conducted by the Smiths, became a popular temperance eating house, while all the others sold liquor. When coin was scarce, a pinch of gold dust paid for a drink. The proclamation of Governor Riley had been issued to have all needed officers elected, and, if any precinct failed to elect them, the Prefects had power to appoint magistrates or alcaldes, so that an election could be held. This proclamation divided the districts somewhat, making all east of the Mount Diablo range of mountains in the San Joaquin district. W. W. Smith was the first appointed Alcalde of New York of the Pacific, and of this newly formed district. The Alcalde had charge of all sanitary, civil, criminal and judicial affairs of his district, with full power to appoint his officers, levy taxes and collect fees. The Alcalde spent some two thousand dollars in time, money and medicines, in caring for the sick and dead, none of which was ever reimbursed, and he found the position honorary and very expensive. In September, 1850, W. W. Smith, hearing of the arrival of a ship-load of settlers from Maine, in San Francisco, hastened down and found a number of families who wished to obtain land and settle in California. Captain Geo. W. Kimball and brother, one Douglass, four or five Hathaways, a Mr. Marshall and son Benjamin, now a resident of Antioch, and a Mr. Dennison, came to Antioch, which, at that time, was called Smith's Landing. A street was laid out, running east by compass, and each family that wished to settle upon land was presented by W. W. Smith, with a lot to build on. The Pulsifer brothers then established a garden on the flat above the point, watering the same by a simple wooden pump, fixed in the slough between the point and the main land. By the united work of all, a fence and ditch were completed from the tules on the west of the town to the tules on the east, in the Spring of 1851, to keep the animals from entering the town. On the Fourth of July, 1851, a basket picnic was held at the residence of W. W. Smith, then standing on the high ground, near where the *Antioch Ledger* office now is; the all-absorbing topic of the day was, "What shall we name our town?" Between thirty and forty men, women and children had gathered from far and near. A Chairman was chosen, and several names proposed; among them, Minton, after a steamer which plyed on the river, that she might be induced to stop at the town. Another proposed that it be Paradise, but Deacon Pulsifer arose and remarked, that there were many claimants to the lands in California, and they might lose their lands, and then it would

be "Paradise Lost." W. W. Smith proposed that, inasmuch as the first settlers were disciples of Christ, and one of them had died and was buried on the land, that it be given a Bible name in his honor, and suggested Antioch, and by united acclamation it was so christened. In July, 1862, W. W. Smith entered the navy and was assigned to the U. S. Flag-ship *Lancaster*, Commodore Bell commanding. He remained in the service six months, and was honorably discharged for the purpose of perfecting some improvements in both land and naval batteries. Before these plans were completed the war closed. While in the navy he was studying the tides for the purpose of obtaining information, which was subsequently made use of in his work on that subject. The Rev. Joseph H. Smith married Sarah Lamper, in March, 1833, a native of New Hampshire, and had no children. The Rev. W. W. Smith, whose portrait appears in this work, married, firstly, March, 1833, Lavina Sanborn, a native of Pittsfield, New Hampshire, and secondly, September 12, 1847, Jane Crosswell, a native of Rehoboth, Massachusetts. His family consists of William M., of Biddeford, Maine; Sarah L. Parkison, of Antioch; Joseph L., of Red Bluff, and Chas. H., of Antioch.

IGNACIO SOTO.—This scion of one of the old California families was born in Santa Clara county, July 31, 1826, and there followed farming until 1855. On December 7th of that year, he moved, with his family, to Contra Costa county, joined his brothers, who had preceded him, and engaged in stock raising in the Ygnacio valley. In the following year our subject commenced farming, the four brothers dwelling on the thousand acre tract belonging to the family. This property was afterwards divided into equal shares, the amount falling to Ignacio Soto being two hundred and thirty acres, on which he is now engaged in farming and stock raising. He married, firstly, in San José, Santa Clara county, November 11, 1851, Rosinda Higuerra, a native of San José, who died December 9, 1862. By this union he has four children, viz: Joseph, Ruphila, Pablo, and Marian. Married, secondly, at the Mission San José, Alameda county, November 12, 1864, Francesca Higuerra, a cousin of his first wife. By this union there are no children. Mr. Soto died June 15, 1882.

SILVERIO I. C. SOTO.—The subject of this sketch, whose portrait will be found in the pages of the History of Contra Costa county, is a descendant of two of the oldest Spanish families of California, his father being a Soto and his mother a Pacheco. The paternal ancestor of Mr. Soto was, for many years, Secretary to Governor Arguello, and was one of the prominent men of his time. He, whose name is at the head of this memoir, was born in the county of Santa Clara, May 16, 1831. There he was educated, and resided until he attained the age of twenty-four

years, when he came to Contra Costa county, and has maintained a continuous domicile therein ever since. His residence is picturesquely situated in the midst of a grove of well-grown willows. Here he has made for himself a home, more beautiful than which there is none in the district. In January, 1852, he married Carmelita Higuerra, a native of California, by whom he has had eleven children. On coming to Contra Costa he settled in a house originally built by Asa Bowen and Frank Lighston, of San José, his brother-in-law, the building he now occupies. He was shortly after followed by his three brothers, who each took up their residences in the neighborhood, and on a portion of the Soto Tract of a thousand acres, a part of the San Miguel Rancho, the property of the grandmother of our subject. The original homestead is now divided among the four brothers, the subject of this sketch being engaged in general farming. He has two children deceased; those living are as follows: Ignacio L., Frank L., Margaret L., Alvarado J., Presentacion M., Silverio J., B. I., Emelina B., Abraham, Louisa and Florencia.

JOHN SPROLL.—Was born in the North of Ireland. On account of leaving his parents at an early age, he was unable to tell his exact age, but is about forty years old. When very young he, with his parents, emigrated to America, making his home at Jackson, Missouri. From there he visited many places until he came to California, *via* Panama, in the year 1858. After a few months spent in San Francisco, he came to Contra Costa county, and located in the San Joaquin valley, there being, at that time, but a few settlers in the valley. Mr. Sproll is engaged in farming about three miles from Byron, and is unmarried.

SYRANUS STANDISH.—Is the son of William H., and Harriet (Havens) Standish, and was born in Rhode Island, September 25, 1826. When our subject was ten years of age, his parents moved to Auburn, New York, where they resided a year, and then went to Delaware county, Ohio, where he received his schooling. In 1844 he accompanied his father to Columbus and there worked with him at moulding for two years, when he entered a machine-shop in that city and remained until 1856. After two years passed on a farm he started for California, *via* New York and Panama, and arrived in San Francisco, June 1, 1858. Coming direct to this county he located in Pacheco, and after one year, concluded to make California his home; therefore, he returned to the Eastern States and came back to this coast, accompanied by his wife and family. He now engaged in his former business in Pacheco. In 1864 Mr. Standish proceeded to Nevada, where he was employed most of the time till December, 1867, when he returned to California and assisted his cousin, P. H. Standish, in building the famous steam-plow in Martinez. He next opened a machine-shop in Concord in company with Paul Lohse, but in

Henry Blume

1869 returned to Nevada, where he remained until 1873, when he once more visited the Atlantic States. Returning to California, he re-commenced business in Pacheco on December 4, 1877, where he has now a machinist and blacksmith's shop. Married in Columbus, Ohio, October 25, 1847, Elizabeth Senter, a native of Maryland, and has six surviving children, viz: Clarice, (now Mrs. P. Loucks); Mary H., (now Mrs. H. Mills); Florence B., (now Mrs. A. L. Gartley); Charles S., William S. and George E.

RICHARD STEGE.—The subject of this sketch, whose portrait appears in this work, is the son of Richard and Margaret Stege, and was born in Germany, August 10, 1832. He received his education in Bremerhaven, and at fourteen years of age commenced a sea-faring life, which he followed until 1848. In that year he emigrated to the United States, and first filled the position of clerk in a grocery store in New York City. In February, 1849, he sailed for Rio de Janeiro, where he joined his brother, and with him came to California, arriving in San Francisco in the month of October of that year. He immediately proceeded to Downieville, Sierra county, and prosecuted mining, an occupation he continued for three years. At this time he commenced a grocery, business, having two stores, one at Clement's Flat, and the other at New York Flat. These he conducted until 1858, when he returned to Downieville and opened a bakery and restaurant. In 1859, this property was destroyed by fire, but was soon rebuilt, however. He abandoned it on the breaking out of the Frazer river excitement, whither he proceeded. He next carried on a restaurant at Port Wine Diggings until 1861, when he left for Carson City and embarked in a hotel business until 1862. Mr. Stege next proceeded to the Carriboo mines, in British Columbia, where he arrived in the Spring of 1863. In 1865, he opened a hotel in Victoria, British Columbia, which he conducted one year. Next he transferred his operations to Big Bend in a like scheme for a twelve-month. Mr. Stege next found his way to Siberia, where he engaged in the fur trade; after which he returned to Oakland, Alameda county, and opened a furniture store, which he continued one year, subsequently moving to his present ranch of six hundred acres, where he is engaged in farming, being as well the contractor for delivering powder to the railroad companies from the works, which are on his land. Married in 1870, Mrs. C. C. Quilfelt, now deceased. He has a step-daughter, residing with him.

JAMES STEWART.—The subject of this sketch, whose portrait will be found in this History, is a native of County Down, Ireland, born April 6, 1825. When twenty-two years of age he emigrated to America, where, on his arrival in New York, he immediately proceeded west to Bond

county, Illinois, where he found employment for one year, when, in the Spring of 1849, he returned to his native land, and there sojourned until the Spring of 1851, when he once more crossed the Atlantic, this time arriving in New Orleans, where he sojourned a short time and then came to St. Louis, and there resided until March, 1853. He then joined a wagon-train, paying one hundred dollars as passage-money, and after many hardships incident to a trip across the mountains at that early time, he arrived in Volcano, in August of the same year. He then embarked in mining, which he continued until 1856, when he came to Contra Costa county, and first located in Rodeo valley, on land now part of the Tormey estate, and engaged in agricultural pursuits, until his more recent purchase of his present farm in that valley, consisting of three hundred acres of well-improved land, and to which he has since added some three hundred acres more. He prosecuted farming until 1879, when he turned his attention to mercantile pursuits, locating in Martinez, where he opened his present general grocery and fruit store, on the corner of Locust and Castro streets. Mr. Stewart was united in marriage, in Rodeo valley, to Mrs. Gertie McClelland, a native of Wisconsin, by which union he has one child, Lizzie, and two step-children, Mary Ann and James McClelland.

WILLIAM B. STEWART.—The subject of this sketch, was born in Jackson county, West Virginia, November 13, 1832, and is the son of William and Mary (Board) Stewart. There he was educated in the common schools, after which he followed farming until April 1, 1852, when he proceeded to New York, and sailed from there for California, *via* the Isthmus of Panama, arriving in San Francisco in the first part of May. After a few days he went to Stockton and found employment with Tom Marshall on a farm, where he remained until the Fall. He then went to Springfield, Tuolumne county, where he engaged in mining for two years and a half. Mr. Stewart was one of a company that found the Table Mountain mining district, and was afterwards one of the original owners of the Consolidated Virginia mines, which he continued until the year 1859. In the following year he came to Contra Costa county, and first located where the town of Somersville now stands. He was next engaged as an expert to examine the Pittsburg mine, located by Ezra C. Clark, Allen & Lander, and afterwards was superintendent for about two years. In the meantime he crossed the hills and bought the Stewart mine, located at the present town of Stewartsville, and which is now known as the Central mine. Mr. Stewart worked the mine until 1876, when it remained idle until 1881, when, in February of that year, he disposed of it to the present owners. Since then our subject has not engaged in mining operations, although he is an owner of considerable mining property adjoining the town of Stewartsville.

ALBERT W. STONE.—The subject of our sketch, whose portrait it affords us pleasure to place before our readers, is a native of Erie county, Pennsylvania, born September 18, 1821, where he spent his early boyhood until fourteen years of age. His parents then moved to Kalamazoo, Michigan, where he attended the common schools and resided until 1838. He then moved to Van Buren county, Iowa, with his parents, when our subject learned the trade of blacksmith, which he followed until 1852. In May, of that year, he started with ox-teams and a drove of stock to cross the plains to California, arriving in Sacramento, September 1st, of the same year, where he disposed of his stock, and engaged in his former business of blacksmith for a short time. Then our subject engaged in several different occupations until February 13, 1853, when he sailed *via* Panama and New Orleans, for his home in Iowa, where he sojourned only long enough to fit out teams and wagons, and again started, accompanied by his wife and family, to cross the plains to make his home in the Golden State. Mr. Stone first settled in Colusa county on land now occupied by Dr. Glenn, and there engaged in stock-raising. In January, 1858, he selected Contra Costa as his future home, and purchased his now valuable farm of eight hundred acres, adjoining the town of Alamo, where he has made many and substantial improvements, and is engaged in general farming. Mr. Stone was twice married; first, in Erie county, Pennsylvania, October, 1847, to Miss Alice J. Ward. She died in October, 1851, leaving one son, Edward A.; married, secondly, in Van Buren county, Iowa, Miss Martha Smith, a native of England, by which union they have seven children: Martha J., William J., Elwin L., Alonzo L., Flora M., Susanna G. and Annie A.

JAMES M. STOW.—The subject of this sketch is a native of Adams county, Illinois, and was born August 29, 1847. Here he resided with his father on a farm until March, 1856, when he, with his mother and uncle, John Shuey, started for California, his father having preceded him by some four years. Coming *via* New Orleans and Panama, they arrived in San Francisco May 22d of the above year. Our subject, with his mother, immediately proceeded to Oroville to join his father, and there resided in Butte and Nevada counties until 1858, when they removed to Sacramento, and thence to San Francisco. In 1859 Mr. Stow's father died in the latter city, and in September, 1860, his mother moved to Danville, Contra Costa county. Here he received a common school education until 1865, when they moved to the vicinity of the present town of Walnut Creek, where he has since resided. Our subject's first labor was a clerkship of one year in the store of Mr. Pratt. He then entered the employ of Shuey Bros., where he remained for three years; and in 1876 engaged in the general merchandise business for himself, in

Walnut Creek. In August, 1877, was appointed Notary Public and postmaster of Walnut Creek, positions he still holds, while in the Fall of 1879, Mr. Stow was elected to the office of County Assessor, of which he is the present incumbent, and is considered one of Walnut Creek's most influential and respected citizens. Married in the town where he now resides, April 22, 1873, Miss Alice Glass, a native of California; they have three children: Nellie May, Carrie L. and Garfield.

JOSIAH STURGES.—The subject of this narrative is one of the pioneers of California as he is one of the earliest settlers of Contra Costa county. He was born in Lee, Berkshire county, Massachusetts, April 23, 1817, and is now in his sixty-sixth year. Having been educated in his native place, he there resided until he attained his eighteenth year. In the year 1835, therefore, he left home to commence the battle of life, a combat which is not always to the strong. At this period he proceeded to Nantucket, where he resided fourteen years—up till the time of his coming to California. In December, 1849, Mr. Sturges started, *via* Panama, for the Golden State, and arrived in San Francisco, February 1, 1850. Being in ill-health, and upon the advice of his physician, he remained only a short time in that city, but moved to seek strength elsewhere. He came to Contra Costa county, and in Martinez, then a village of a few houses, found the healthful influences he desired, and here has he remained, while to keep himself active he opened a hotel, a business which he still follows. In 1852, Mr. Sturges commenced the erection of what is now the Alhambra hotel, and by periodical additions, he has made one of the most comfortable and complete hostelries in the county, while he is also the propietor of considerable property in the conterminous districts. It is a pleasure to state that by a life of honest rectitude, Mr. Sturges has earned the esteem and respect of all classes of the community in which he resides, while, that he reveres the scenes of his youth is evinced in his having crossed the Isthmus of Panama no less than nine times to revisit them. He married, Oct. 8, 1839, Eliza R. Smith, a native of Virginia, and has two children, both of whom also reside in this county.

JOHN MONROE TAGGART.—Was born in Dublin, Cheshire county, New Hampshire, December 15, 1826. His mother died when he was one and a half years of age, and his father when he was eight years of of age. When eleven years old he went to the State of Michigan with his brothers and sisters, and when seventeen went to Wisconsin and engaged in the lead mines, remaining there one year; from there went to the State of New York, stopping part of the year in New York, and then went to Cleveland, Ohio. He went from Cleveland to Michigan, there made it his home, and engaged in lumbering and

clearing land up to the time of starting for California in 1852. In March, 1852, in company with sixteen others, Mr. Taggart commenced the arduous task of crossing the plains, *via* Salt Lake and Fort Bridger, to the Golden State, first arriving at San Rafael. Here he found employment for a month in a lath mill, after which he removed to Stockton, where he worked for a short time on two farms, and then proceeded to the mines at Placerville. In April, 1853, he transferred his habitation to Nevada county, where he contracted to cut and saw logs. Remaining there four months, we next find Mr. Taggart at the mines in Sierra county, and purchasing three mules he commenced trafficking in stock, hay, and water, going into the desert to meet the immigrants. How gladly the latter commodity was accepted, we leave to the reader's imagination—they were happy to pay a dollar per gallon for the liquid. Abandoning this style of trade in October, he bought a drove of cattle, and with them crossed to Bear valley. On the journey they passed the site of the sufferings and death of the ill-fated Donner party, and fearing a like experience, with but little provisions, Mr. Taggart and his companions pushed on across the summit, to Summit valley, with eighteen inches of snow, and finally arrived at their destination, foot-sore and weary, but undaunted. At the end of two weeks he returned to Sacramento, and started in the freighting business to the different mining camps; we next find him employed in a saw-mill, and in the Spring of 1854, once more began mining—finally, disposing of his stock in that year. In September, 1855, Mr. Taggart started to re-visit his home in Michigan. He there remained a short time, when he moved to Wisconsin, where he bought a farm in company with his brother, but finding the climate too cold, after the genial temperature of the Pacific slope, he returned to Michigan, met his fate, married, and once more turned his face towards California, where he arrived, for the second time, in June, 1856. He now located in El Dorado county, purchased a claim, and commenced mining. In 1858 he proceeded to the Frazer river, but three months of that "fizzle" was enough for him; he, therefore, returned and settled on a farm in Alameda county, which, selling in 1860, he went to Nevada, and prospected in the vicinity of Virginia City for a short time. He next returned to Nevada City, and mined until 1861, when he commenced teaming for a year, and continued a freighting business between Virginia and Nevada Cities until 1863. In that year he purchased five yoke of oxen, and with them freighted on the same route until 1864; the year following he moved his family to Contra Costa county, and engaged in various occupations until September, 1879, when he purchased his present place, located about half a mile from the town of Martinez. Married in Michigan, May 2, 1856, Margaret Kavanagh, and has seven children, viz: Mary A., Morris M., Elwyne A., Annie M., Frederick J., George B. and Joseph E.

A. T. TAYLOR.—The subject of this sketch is a native of Canada East, and was born in the township of Bolton, September 15, 1821. He resided in that vicinity until nineteen and a half years old, when he started to seek his own livelihood, his father supplying him with two suits of clothes and one dollar. For the next three years he worked as a farm-laborer in an adjoining county, and attended school during the Winter. In the Spring of 1844, Mr. Taylor engaged in farming on his own account, when he purchased one hundred and twenty-one and a half acres of land which he farmed for eleven years. He then returned and settled on his birthplace farm (his old home), where he resided until he started for the Golden State. He, with his family, sailed from New York, November 6, 1866, for California *via* Panama, and arrived in San Francisco December 2d. The first two years he spent in Vallejo, Solano county, and in September, 1868, came to this county and located on his present ranch of three hundred and twenty acres, in Point of Timber district, and engaged in general farming. Mr. Taylor married in Canada, June 17, 1845, Miss Louisa Bruce, a native of Vermont, U. S. A. Their family consists of: Valeria M., born July 14, 1846; Avyette, born October 27, 1848; Volney B., born June 20, 1851; Alexander V., born April 11, 1853.

VOLNEY TAYLOR.—Born in Canada East, June 20, 1851, where he resided and attended the common schools until 1866, when, in the Fall of that year, he, with his parents, emigrated, *via* New York and Panama, to this coast, first settling in Vallejo for two years. In 1868 he came with his parents to Contra Costa county, and located on the land now owned by the subject of this sketch. On arriving in this county Mr. Taylor was placed in the Pacific Business College in San Francisco, where he completed his education and graduated from that institution in 1872. He immediately returned to his farm, and is now engaged in general farming. Was married in Point of Timber to Miss Agnes Andrews, a native of Illinois. They have now one son, Everett B.

S. J. TENNENT, M. D.—The subject of this brief sketch is one of the prominent, as he is one of the earliest settlers of Contra Costa county, and is eminently entitled to a position in our work. He was born in Liverpool, England, January 5, 1818; removed to London, where he received his early education; attended the Louth Grammar School in Lincolnshire, where he passed some time as a pupil with his uncle, Dr. John Johnson, finishing his medical education, as surgeon and general practioner, at the London University. He then shipped on board a whaling vessel, as surgeon, and in the course of time arrived at the Sandwich Islands, when, there being a disagreement between himself and the Captain, he left the vessel and took up his quarters on shore. There he practiced his profession for some time, and subsequently became Collector of the port of

Laboina Main, and received the appointment of Physician to the King of the Sandwich Islands, as well as being otherwise especially honored by the Government. During the excitement consequent upon the discovery of gold in California, our subject visited the Pacific Coast, then having the intention of returning, but in his journeyings through the country, he suffered the fate of man, became a Benedict—married September 8, 1849, Rafaela, daughter of Don Ignacio Martinez, a former Commandante of the Presidio of San Francisco, and who likewise filled the office of Alcalde there for a short time. By the above union there was a family of ten children, five of whom are now living. Mrs. Tennent died August 5, 1868. The Doctor has not practiced his profession since 1849, but has given his attention since to farming and stock-raising on the Pinole ranch. A portrait of this worthy gentleman will be found in this History.

H. N. THODE.—Born in Holstein, Germany, in April, 1845, and is the son of Claus and Katarina (Nagel) Thode. He received his education and resided in his native country until the year 1869, when he emigrated to California, first settling in San Francisco. Eighteen months after he moved to Contra Costa county, locating on his present place in October, 1880. Here Mr. Thode owns one hundred and fifty acres of the Sobrante Grant, which he farms. Married in 1873, Elsabe Rehder, a native of Holstein, and has: George F., Alvina, Adele, Clara and Emma.

PETER THOMSON.—Born in Lenark city or town, Canada, March 28, 1839. When eight years of age his parents moved to Waterloo, when after a short sojourn there they went to Bayfield, Huron county. In the latter part of 1851, our subject suffered the loss of his father, and young Thomson, at the early age of thirteen, started to learn the trade of blacksmith, at which he served his term of three years, and afterwards worked as journeyman for four years more. He then, in 1859, with two companions, started for California, sailing from New York May 10th of the above year, and arrived in San Francisco the 24th of the following June. After a few months spent in Oakland, he came direct to Lafayette, Contra Costa county, which has since proved to be his home, and began to work at his trade as journeyman in the shop he now owns. In the Summer of 1863, Mr. Thomson bought his employers out, and has since carried on a general blacksmith business, in which he has been very successful, now owning some three hundred acres of land adjoining the town of Lafayette. Mr. Thomson was married in Lafayette, March 23, 1862, to Miss Angenett Maloney, a native of Connecticut, by which union they have five children living and two deceased. The names of those living are: Clara A., William B., Angenett, Franklin C. and Ethel.

JOHN TORMEY, (deceased).—This gentleman was born in Westmeath, Ireland, in the year 1825, and there resided until 1849, when, in company with his sister, Ann Tormey, he sailed for the United States, arriving in New York in the month of April. He almost immediately proceeded to Peoria, Illinois, where he remained about ten months. He then, it being the Spring of 1850, with his brother-in-law, Peter Fagan, and a cousin, started with ox-teams to face the hardships of a journey across the plains to California. On arrival in the Golden State, he first turned his attention to mining in Tuolumne county, an occupation he followed until the Fall of 1852, when he returned to New York. Subsequently, Mr. Tormey went to the Western States, and there purchasing a band of cattle drove them to California, to Suscol, Napa county, where he arrived in the Fall of 1853. A year later, there being associated with him in the transaction Peter Fagan and Isaac Lancashire, he purchased a tract of three thousand acres of land in Suscol, and there followed farming and stock-raising until 1865, in which year he came to Contra Costa county, and bought the interest of one of the Martinez heirs in a two-thousand-acre tract of the Pinole Grant, still, however, retaining his interest in Napa county. Mr. Tormey now embarked in farming and stock-raising on his newly acquired property, and, in 1867, in partnership with his brother, Patrick Tormey, purchased four and one-third elevenths of the Pinole Grant, consisting of seven thousand acres, on which he resided until his death on July 21, 1877. In the Fall of 1866, John Tormey was elected to the Board of Supervisors of Contra Costa county from Township Number One, and was four times re-elected to the like position, continuing to perform the functions of the office until the period of his demise. John Tormey was a man of generous, noble, kind and liberal instincts, a spirit which was displayed on many occasions, not only in assisting his own relatives, but others not of kin. Few men had so large a number of attached friends, and the attendance at his funeral was the largest ever seen in Martinez, many of those present having come from abroad and from other portions of the county, and the train of carriages following the remains from the family residence, over eight miles of dusty road, numbered upwards of a hundred and twenty. He was buried in the Martinez Cemetery, in the family plot upon the hill-top, which looks out over the waters of the Straits of Carquinez and Suisun Bay, to the far-off snowy Sierras. His remains were reverently laid away with the last attentions of affection and the impressive ceremonies of religion. The spot is marked by a monument graceful in design and elegant in form, of rare beauty and excellent workmanship. Mr. Tormey married in Stockton, November, 1859, Miss Anna Waterhouse, a native of Missouri, by which union there were nine children, five of whom are now living, viz: Thomas L., John V., Philip J., Mary T. and Ida M.

PATRICK TORMEY.—The subject of this sketch, whose portrait appears in this work, is the son of Patrick and Mary (Rooney) Tormey, and was born in Westmeath, Ireland, in March, 1840. There he resided until September, 1858, in which year, after undergoing a three years' academic training, he, with three sisters and a brother, sailed from Galway to the United States. Arriving in New York September 29th, he remained in that city a short time, and on the 7th of October, in company with Hon. D. N. Sherburne, of Sycamore valley, sailed for the Isthmus of Panama in the steamer *St. Louis*, the journey to San Francisco being continued in the *Louisa*, where he landed on the last day of October, 1858. He now joined his brother, the well-known and much lamented late John Tormey, at Suscol, Napa county, and there engaged in farming for a year. In the Fall of 1859, our subject proceeded to Stockton, San Joaquin county, and for six months was employed in the California Flour Mills; after which he came to Contra Costa county, and was engaged for eighteen months in herding cattle for his brother on the Pinole Rancho. In June, 1861, he drove some stock to Nevada, returning at the end of four months, and leasing a portion of the place which he has since purchased. Here he engaged in agricultural pursuits for two years, at the end of which he transferred his operations to the "Adobe" ranch, near Petaluma, Sonoma county, where he resided four years. On the expiration of that term he returned to Contra Costa county, and with his brother, the aforesaid John Tormey, purchased his present large tract of land of seven thousand acres, it being a part of the Pinole Grant, and the portions of *Mesdames* Estudillo, Merle, Berryessa, Richardson, and a third share of Mrs. Castro. The property has a frontage on San Pablo Bay of three miles; on it is situated Tormey Station, on the line of the San Pablo and Tulare Railroad, now the property of the Central Pacific Railroad Company; it is on the direct southern route to the Eastern States, and since coming into the hands of Mr. Tormey, the value of the land has been much enhanced by many improvements. In the Fall of 1877, Mr. Tormey was elected to a place on the Board of Supervisors of Contra Costa county, made vacant by the demise of his brother, who had held the position for the previous nine years, and has since been called upon to fill these functions, being one of the most active members of the Board. To know Mr. Tormey is to appreciate his manly worth. The excellence of his life, his unswerving rectitude of purpose, and undeviating honesty, all go to make up a man to be trusted and honored—as he is, indeed, by the citizens of the county in which he has been a resident for more than two decades of years. He married, in May, 1875, Mary Mathews, a native of Boston, and has three children—John P., Leo F. and Mary.

JOHN TRENGOVE.—A native of Cornwall, England, born October 10, 1838. When but nine years of age, he, with his father, emigrated, and arrived in Vera Cruz, Mexico, at the time of its occupation by the American army under General Scott, and remained in that country until March, 1851. He then started, *via* Acapulco, to San Francisco, where they arrived April 8th of the above year. Our subject immediately proceeded to Stockton, and thence to Tuolumne county, where he was employed in a dry goods store; then embarked in mining for about ten years; then served an apprenticeship to the carpenter's trade; then mining again, until coming to Contra Costa county, which event occurred November 17, 1877. He first located in Somersville, where he resided until 1875, then went to Santa Cruz and followed his trade for some time, then superintended and completed the Railroad tunnel which runs through a part of that city, and for the Santa Cruz & Felton Railroad Company. In July, 1877, returned to Tuolumne county, and remained there until December, 1878, when he again came to this county, locating at Somersville, where he followed his trade; later bought out the present general variety store in the post-office building. He now holds the position of deputy postmaster of Somersville, and district deputy of the Independent Order of Odd Fellows, of district number forty-nine, being initiated June 18, 1862. Was married in Somersville, November 15, 1876, to Miss S. E. Dunnigan, a native of Iowa. It is sad to say their only little child, a daughter, is now deceased.

JOHN H. TROY.—Born in Ireland in the year 1837, where he resided until March, 1854, when he emigrated to the United States, and remained in Boston until February 14, 1857. He then started for California, *via* Panama, arriving in the Golden State early in the month of March. On arrival he immediately proceeded to British Columbia, at which time there was the Frazer river excitement, and after a stay there of ten months, returned to California, and in March, 1858, moved to Pacheco, Contra Costa county, and engaged in mercantile pursuits until December 28, 1875, when he made Oakland, Alameda county, his home. On January 1st of the following year, he embarked in the insurance business, which he is at present carrying on. Married November 3, 1861, Louisa Engalmeyer, a native of Louisville, Kentucky; by whom there is one son: George D. Married secondly, Kate Harris, on June 2, 1867. By this union there are four sons, viz.: John H., Charles S., Frank M., and Robert E.

RICHARD R. VEAL.—This successful farmer of Township Number Five is a native of Pike county, Illinois, was born July 5, 1838, on a farm, and was educated at the common schools of his native county until 1856.

John Reiners.

November 5th of the latter year he, with his parents, two brothers and three sisters, started, *via* New Orleans and Panama, for the Golden State, arriving in San Francisco January 24, 1857. After a short time spent in Solano county, they removed to Sonoma county, and engaged in stock-raising, where the subject of this sketch resided until his coming to this county, which event occurred February 22, 1868, locating on his present valuable farm of eight hundred acres, in the Eden Plain district, four miles from Brentwood. Mr. Veal is a thorough and successful farmer, enjoying the confidence and esteem of the whole community in which he lives. Was united in marriage, in Martinez, March 11, 1880, to Mrs. Selinda Sexton, a native of New York. A portrait of Mr. Veal will be found in this work.

THEODOR WAGNER.—The subject of this sketch, the distinguished Surveyor-General of the State of California, whose portrait appears in this work, was born in Hesse-Cassel, September 9, 1841. Coming to the United States at the early age of fifteen years, he may justly be considered one of our "self-made men," who by his own industry, labor, efforts and exertions has succeeded in reaching the honorable and responsible position he has held for the past four years, and which is about to be relinquished by him. The Great Rebellion found him in Florida. Leaving the small savings he had acquired there, he at once proceeded to the North and entered the Union army, in the service of which he earned the higher grades of rank, remaining until the close of the war. Going to Arkansas after the termination of the conflict, he served as Deputy Secretary of State, and thence moving to Missouri, he there entered upon the practice of law and surveying. Arriving in California in the year 1872, he took up his residence at Visalia, Tulare county, and there practiced almost exclusively as an attorney in land cases. The investigation ordered by the Hon. Carl Schurz, then Secretary of the Interior, into the so-called "desert land swindles," enabled him to use his experience in land matters to such good effect on behalf of the Government that the appointment of United States Surveyor-General was conferred upon him, which office he has held ever since. In this elevated position he has had opportunities for proving his talent for organization and his usual conscientiousness, while he has succeeded in infusing into the affairs of the important office a perfect system, which will inure to the advantage of his successor, as well as bestow invaluable benefit to the public at large. Mr. Wagner established perfect order in arranging the documents relative to private land claims in California, some of which are of the greatest importance, and all of public interest, heretofore only existing in a chaotic mass, thereby rendering them safe and secure against waste, theft, and the dangers of being counterfeited. Previous to his

advent the clerks and draftsmen in the Surveyor-General's office received their pay at irregular intervals, subjecting their salary demands to a heavy discount, and thereby becoming a prey to money sharks—an iniquity he has most effectually rectified. A large amount of work was left undone, and the sum of eight thousand dollars—set apart for doing the same—was used for unnecessary expenditures, probably with a view to keep up a set of political barnacles. The neglected work was taken in hand and completed by a system of savings from other sources of expenditure, so that in due time the *employés* of the office were promptly paid at the end of each month; the work of the offices was perfectly systematized, and there exists no deficiency in any manner. Mr. Wagner has been singularly fortunate in rendering decisions to frustrate the nefarious designs of land sharks and land speculators, a case in point being the now celebrated "Sobrante" case, where over sixty thousand acres of valuable land in Contra Costa and Alameda counties were preserved to the public and prevented from becoming a prey to speculators. It was but natural under these circumstances that he should be assailed by parties representing adverse interests and their tools who have failed in their endeavors to use him for their nefarious schemes. These attacks resulted in an investigation, demanded by him, which proved his inviolable integrity, and resulted in exposing the groundlessness of the charges. These facts are the best acknowledgment of the excellent manner in which Mr. Wagner has administered the office of Surveyor-General. It is therefore much to be regretted that he cannot be prevailed upon to seek a reappointment, and although earnestly requested to do so, he feels obliged to decline the honor, as the salary attached to the position is not commensurate with the arduous and responsible duties devolving thereupon; with this, however, we are assured that in whatever calling Mr. Wagner may embark in the future he will not only succeed, but have the good wishes of all for his success, and will leave behind him a record, saying *monumentum ære perennius*—a monument more durable than brass.

JAMES T. WALKER.—The subject of this sketch, whose portrait will be found in this volume, is the son of Samuel S. and Barbara (Toomey) Walker, and nephew of the renowned Captain Joe Walker, whose name to Californians is as familiar in their mouths as household words. The gentleman of whom we write was born in Roane county, Tennessee, November 25, 1825. At the age of six years he was taken by his parents to Jackson county, Missouri, whither they had transferred their home, and here our subject attended school and dwelt until 1847. In July, of that year, Mr. Walker, with eight others, started for California with ox-teams to brave the dangers of a then little-known journey. In the

month of November that portion of the Green river known as Henry's Fork they reached, and here leaving the regular Northern route, made the attempt to enter the country by the Southern Pass, but on account of the depth of snow, were compelled to retrace their steps to Brown's Hole, on Green river, eighty miles below the old emigrant crossing, on that stream. Here, our subject and three companions, with nought but the pine trees for their shelter, and no food save the fruits of the chase, passed a forlorn and desolate Winter, while it was not until the following July that they were able to continue their journey, arriving in California in September, 1848. Mr. Walker at once proceeded to Gilroy, Santa Clara county, purchased and butchered a lot of cattle, with which he intended to supply the mines during the Winter months. Subsequently, he proceeded to those at Dry creek, and, finally, commenced teaming between Sacramento and Coloma, an occupation he followed until the Winter rains compelled him to desist. He then engaged in mining at Drytown, Amador county, with good success, until the Spring of 1849. Mr. Walker is next discovered located at Stockton for a short period, whence he found his way to the mines at Angel creek, and there remained until June of that year. At this period he returned to Gilroy, purchased cattle, drove them to the mines, then disposed of them, and continued in this trade until 1850. In February, of that year, he determined to return to visit his home in Missouri. Mark his route. Taking passage in the steamship *Panama*, from San Francisco, he proceeded to the Isthmus, thence proceeding down the Chagres river, to the island of Cuba he went in the steamer *Georgia*, there he joined the British packet *Avon* bound for Mobile, from that place he voyaged to New Orleans on the steamer *James L. Day*, whence he journeyed by steamer to his home. The visit was a flying one, however, for in April of the same year, we find him once more with his face turned towards the plains and California, where he arrived in August. Our subject now sojourned in Sacramento City until January, 1851, when, with a party of six, besides himself, he started for New Mexico and Arizona, districts of which little then were known, but which had been visited by, and found favor with his uncle, Captain Joe Walker. In June, of that year, the eleventh day, we find Mr. Walker leaving Santa Fé, with five comrades, for Missouri, where his stay again was not long. In April, 1852, we see him for the third time about to undertake the arduous journey across the plains to the Pacific Slopes, on this occasion being accompanied by his father's family, and having with him a drove of cattle and horses. In the Fall of 1853, he moved from Gilroy to Contra Costa county, and settled on his present estate of one thousand four hundred acres, where he has since resided. Mr. Walker served three years as a member of the Board of Supervisors of Contra Costa, while he has been prominently

identified with all movements tending to the advancement of the interests and prosperity of the county. Married, May 14, 1861, Mary C. Vaughan, a native of Jackson county, Missouri, and has: John M., Louisa B. and Josephine E.

CAPTAIN JOSEPH R. WALKER, (deceased).—Standing in the pretty little Alhambra cemetery, at Martinez, is a plain, unpretentious marble headstone, bearing the following inscription: "Captain Joseph R. Walker, born in Roane county, Tennessee, December 13, 1798. Emigrated to Missouri in 1819, to New Mexico in 1820, to Rocky Mountains in 1832, to California in 1833. Camped at Yosemite November, 13, 1833. Died October 27, 1876, Æ. seventy-seven years, ten months and fourteen days." What a wealth of reminiscence there is in these few simple statements—what a life of energy, toil and adventure, do they speak. It would appear, however, to be doubtful if Tennessee has the honor of claiming this worthy old pioneer among pioneers. We are informed by no less an authority than his nephew, with whom the aged veteran passed his declining years, that the Captain was actually born in Virginia, but he was taken to Tennessee at a very early age, whither his parents had emigrated. In 1819, he moved to and was a resident of Jackson county, Missouri, and took part in the planting in that State of the arts and sciences, which have done so much towards making the name of the United States respected in every part of the habitable world. In the year 1820, Captain Walker made his first trip on the plains, going with a party to New Mexico on a trapping and trading expedition, having the ultimate idea of crossing to the Pacific coast, but when they had reached as far as Prescott lake, troops were dispatched by the Governor of New Mexico to order their return. He therefore retired to the settlements, and, until the year 1832, maintained a residence in Jackson county, and carried on the business of trapper and trader, his principal ground being in Arkansas and Texas. On a trip from Independence to Fort Gibson, Arkansas, for cattle, our subject first met the redoubtable Captain Bonneville, then stationed there, who told Walker of his proposed expedition to the Rocky Mountains, and wished him to join it as a partner; he had not money enough, however, therefore was engaged as one of the captains of the two hundred and-forty men, which comprised the company when rendezvoused at Fort Osage in 1832. In his adventures of Captain Bonneville, the greatest of American writers, Washington Irving, thus describes Captain Walker: "He was about six feet high, strong built, dark complexioned, brave in spirit, though mild in manners. He had resided in Missouri for many years, on the frontier; had been among the earliest adventurers to Santa Fé, where he went to trap beaver, and was taken by the Spaniards. He returned to Missouri, and had acted, by

turns, as sheriff, trader and trapper, until he was selected as a leader by Captain Bonneville." Captain Walker remained with Bonneville until the Spring of 1833, when he left the expedition in the Rocky Mountains, and determined to visit California. The best maps he could procure of the country represented a river flowing from the Great Salt lake to the Pacific coast. He made up his mind to follow this route, and accordingly, in the early Spring, set out at the head of thirty bold and experienced trappers, well mounted and accoutred. Arriving at Salt Lake he made its circuit, to be disappointed in finding the river; but nothing daunted, he struck out west, and in October reached the Sierra Nevada, which he undertook to scale. His first attempt to descend to the west was near the headwaters of the Tuolumne, which he found impassable, but working a little farther to the southward, he struck the waters of the Merced, and got into the valley of the San Joaquin. His was the first white man's eyes that that ever looked upon the Yosemite, which he then discovered, although the honor has been accorded to some other person at a period twenty years later. His party encamped in the San Joaquin valley, recruiting and trapping until Spring. Meanwhile Captain Walker, accompanied by a few men, explored the principal valleys in the State, and made himself thoroughly acquainted with their topography and capabilities. In the Spring of 1833, he moved to the southward along the foothills of the Sierra Nevada, looking for a pass to the east. His skill in judging the lay of the country at a distance has been described by old and experienced mountaineers as something so marvelous as to be nearly akin to magic. He would look at a chain of mountains forty or fifty miles away, which he had never seen before, and tell in an instant whether they possessed timber, water or pasturage, and what was the best approach to them—where were the natural water-ways and barriers. Guided by this unerring instinct, he passed to the southward until he came to what he considered the only true pass through the Sierras, and which is situated in about thirty-five and a half degrees of North Latitude, and bears his name; Walker's Pass he considered the true outlet from California to the East. On his return to the East, he kept nearly on the thirty-fifth parallel, and found the country east of the Colorado fertile, and a climate unequalled in the world for salubrity. Thus he continued for the next decade of years, trapping and trading, or, as his nephew expresses it, "coming and going."

In 1843, our subject was in the vicinity of Fort Hall. While there, Captain J. B. Chiles arrived with the family of that venerable pioneer, George Yount, of Napa, Julius Martin and wife, now of Gilroy, Santa Clara county, and Frank McClellan, of Pacheco, Contra Costa county. A Miss Ayres afterwards joined the party. Being afraid that they would not be able to get over the mountains before the Winter, Captain

Walker agreed to pilot the party into California. Captain Chiles was sent on in advance, and was to return to meet them at or near Walker's lake with supplies. After recruiting the animals, Captain Walker started with his party for California by way of Walker's lake, the route he had formerly traveled. He missed Mr. Chiles, and the party were in severe straits for provisions. They got fish from the Indians on Walker's river, trading horse-shoe nails (which the Indians used for awls) for them. Beyond Walker's lake they abandoned the wagons, as Winter was closing in upon them; they therefore *cached* their goods, killed their cattle for provisions, and after terrible suffering got across the mountains into Tulare valley, at some point now in Kern county. The chief dependence of this party of helpless women for food was on the rifle of Captain Walker, and his woodcraft to pilot them over the wild waste of desert plains and lofty mountains which intervened between them and the settlements. His courage and energy were equal to the task. The captain was wont to describe with great spirit the feast the party had on a fat mustang pony, the first thing he killed after getting into Tulare valley. In 1846, war having been declared between the United States and Mexico, Captain Walker drove a band of mules into New Mexico, which he disposed of to the Government, and afterwards bought the same species of animals from the Mohave Indians for a like purpose. In the Spring of 1847, he returned to Jackson county, Missouri, where he sojourned until 1849, in the Spring of which year he arrived once more in California. During that Summer he traded in the mines, driving stock thither and selling them. He continued until 1851 on a ranch he had acquired near Gilroy, in which year he organized a company of nine persons to proceed to New Mexico and Arizona. In June, 1851, however, the party broke up and scattered, the captain remaining behind until the month of March in the following year. He then took up a ranch for a year or two near his old friend, Julius Martin, at Gilroy, and subsequently, in 1854–55, organized a company which proceeded on a prospecting tour in the Bodie and Esmeralda districts. In 1857, he turned towards Arizona, but one of his men, named Lyons, being wounded in a *fracas* by the Mohave Indians (he died afterwards in Los Angeles), the captain returned to California. In 1859, he acted as guide to the troops sent up the Colorado from Fort Yuma to chastise the Indians. On May 9, 1861, he left on a prospecting tour in Arizona, New Mexico besides other places in that locality, while in the following year he arrived at the place where now the town of Prescott, Arizona, is located, and discovered the rich mines in that vicinity. The year 1864 saw him back in California, but to return before the close of the year, to remain until 1867, when he came to reside with his nephew, James T. Walker, at his home in the beautiful Ygnacio valley, where he died peacefully, October 27, 1876. Several

attempts in later years were made to get a sketch of the life of the great pioneer, but old age had laid his heavy hand upon him; he was too feeble to talk much, and when he did talk his enunciation was labored and difficult. Of his wonderful memory and also peculiar talent of judging a country at sight, we may mention the following: He had been down the Colorado on an occasion twenty or more years prior to his guiding the troops along its banks in 1859, and had then come *down* the river, but had never been up it; nevertheless he would make an accurate map each morning of the country to be marched over during the day, showing where the mountains approached the river, and where the valley widened, where sloughs or tributaries made in marking the halting-place for the night, and giving a description of its appearance and extent. Furthermore, he would say, "There is grass and wood in those mountains off there, with water flowing to the northward," or whichever way it went. The veteran captain was a quiet, unpretending man. He scorned to boast of his achievements as a pioneer, though a better and more deserving man than many who have had their fame and deeds trumpeted to the world. He died, as he lived, an honest, upright man—one of Nature's noblemen.

JOHN P. WALTON.—Born in Pittsylvania county, Virginia, June 8, 1807, and is the son of Jesse and Mary (Hutchins) Walton. He was educated in Virginia, and resided there until the year 1834, meanwhile having acquired the trade of tanner. From the above year until 1839 he resided in Greene county, Georgia, and then emigrated to Texas, where he followed the life of a trapper and hunter, at the same time conducting a farm near Palestine, Anderson county. In February, 1856, in company with his two eldest sons, Mark A. and William H., he started for California *via* New Orleans and Central America, arriving in San Francisco in the month of April of the same year. Mr. Walton almost immediately proceeded to the mines, and a twelve-month after came to the San Joaquin valley and leased a farm; this, however, he left in November, 1859, and went to Stanislaus county, where he lived until April, 1862. He then came to Contra Costa county, located on his present place of one hundred and sixty acres, and is now engaged in farming and fruit-raising in the Iron House district. Mr. Walton has been twice married: in the first instance at his birthplace to Miss Mary Swanson, a native of Virginia, by whom he had one child, since deceased. Married, secondly, in Greene county, Georgia, Miss Almira Tuggle, a native of that State, by whom he has had nine children. Of these, Mark A., John S., George T., and a daughter, Millie Texanna, still survive. Our subject is now seventy-five years of age, and it is his boast that he has never voted a Democratic ticket, save on two occasions for the office of Justice of the Peace, while,

besides being a resident of the State of Texas at its admission to the Union, he was the second County Clerk of Anderson county.

MARK A. WALTON. — The subject of our memoir is a native of the Sunny South, having been born in Greene county, Georgia, September 14, 1837. When but an infant his parents moved to Texas, where Mark spent his youth and boyhood until nineteen years of age. February 11, 1856, in company with his father and one brother, he started for the Golden State, *via* the Nicaragua route, and arrived in San Francisco March 24, 1856. He first prospected in the mines of Tuolumne county for two years. He then engaged in stock-raising in San Joaquin and Stanislaus counties until 1862, and twenty years ago located on his present ranch of one hundred and sixty acres in the Iron House district of Contra Costa, where he is now engaged in farming and fruit-raising, turning his attention more especially to the latter, having now some thirty acres in fruit and vines. Was united in marriage, in San Joaquin county, in 1859, to Miss Mary P. Walton; she died January 24, 1865. By this union they have two daughters, Almira J. and Jessie. Mr. Walton was married the second time, in Anderson county, Texas, November 15, 1875, to Miss Eliza Tuggle, a native of the latter State. By this union they have no issue.

HENRY E. WARD.—Was born in China county, Maine, August 2, 1837. When sixteen years of age he went to Virginia, and there learned the trade of ship-carpenter. He resided there some three years, and then, after a brief visit to his Eastern home, he sailed, in March, 1855, from New York, *via* Panama, arriving in San Francisco in April of the above year. He immediately proceeded to Tuolumne county and engaged in mining, which he prosecuted until 1861. We next find Mr. Ward in the coal mines of Contra Costa county, where now stands the town of Somersville. He followed mining until 1873, when he engaged in his present livery and feed stable, in which business he has since continued. Mr. Ward held the office of Deputy Sheriff, under Sheriff Ivory, in 1873, 1874 and 1875. Was united in marriage, in Calaveras county, March 16, 1864, to Mrs. Caroline Briggs, a native of Illinois. They have one son, Everett C.

HON. F. M. WARMCASTLE.—Born November 16, 1815, at the town of Butler, Butler county, Pennsylvania; went to Pittsburgh at the age of seventeen, remained there some three years; went to Maysville, Kentucky, remained there during the intermediate time, until the year 1839, spending the Winters down in the southwest flat-boating and distributing agricultural implements; went to Liberty, Clay county, Missouri, early in 1840, remained there until 1841, when he engaged in manufacturing

wagons, plows, etc., then located in Platte City, county seat of Platte county, Missouri, read law, and in the year 1842, emigrated to Nott county, Missouri, and was admitted to the Bar at the Spring session of the Circuit Court of Savannah, the county seat of Andrew county, Missouri, Judge D. R. Atchinson presiding, Peter H. Burnett, Circuit Attorney; he located the same year in that portion of Nott county, afterwards, in the year 1844, organized as the county of Atchison, practiced law at Linden, the county seat of that county, and represented the county in the Missouri Legislature, as the first representative, in the year 1846. He joined the volunteer service, as First Lieutenant of Captain Creig's company of Missouri Mounted Volunteers, in the Spring of 1847, was mustered into the service of the United States at Fort Leavenworth, and was appointed Acting Assistant Commissary of Subsistence; the command was ordered to the Indian country to overawe the Indian tribes, there being no military force in the direction of Oregon, the Rifle Regiment raised a few years previous for that purpose having been ordered to Mexico. He remained in the Indian country until the Winter of 1848, was mustered out of service at Fort Leavenworth, emigrating to California in the year 1849, overland, and was among the first immigrants to arrive at Sacramento, about the middle of August. He went to the mines on the Yuba river, stayed there until the early rains, and, returning to Sacramento, remained there a short time. About that time the election to ratify the Constitution of the new State came off, and the election immediately followed for State officers and members of the Legislature. Mr. Warmcastle then went to Benicia and crossed the Straits of Carquinez at Martinez, and from there, through what is now Contra Costa and Alameda counties, by the Mission of San José to the city of San José, remaining there a spectator of the daily sessions of the Legislature, and becoming somewhat acquainted with many of the men who afterwards occupied official positions in the State. He returned to Martinez, February, 1850. In the Spring, the several counties in the State having been organized by the Legislature at its first session, he was elected County Judge, and held the position until December, 1853, when he resigned, having been elected to the Assembly, at the close of the session resuming the practice of the law. He married at San Francisco in the month of February, 1855, resided in Martinez until the Fall of 1855, when he located in the country some six miles from Martinez, on a farm, that he bought in 1852, and improved; the farm is situated one mile south of the town of Pacheco, not then in existence. He was elected to the Assembly in the year 1857, and was elected to the State Senate in the district composed of the counties of Contra Costa and San Joaquin, in the Fall of 1860. Made two trips to the East, between the years 1870, '74, being absent East about one and a half years. He resided on the farm until 1877, when he was elected District

Attorney for Contra Costa county, and held the office for two years, since which time he has been engaged in the practice of the law, and living in Martinez.

AUGUST WARNECKE.—Was born in the Kingdom of Hanover, Germany, October 25, 1834. In 1849 he emigrated to America, and first settled in New York, where he engaged in the grocery business, which he continued until 1854, when he came to California. On his arrival he went to the mines and remained there for two years, when he returned to San Francisco, and again carried on the grocery business, following that vocation until 1879. In 1881 Mr. Warnecke purchased his present place, consisting of four hundred and thirty-five acres of land on the Kelly League, to which he brought his family and where they now reside. Married September 5, 1867, Sophia Heinsohn, a native of Brimerverdy, Germany, who was born January 18, 1849. By this union there are, Edward J., born March 23, 1869; Dora A., born July 14, 1870; August H., born September 19, 1871; Walter H., born May 5, 1877, and Charlotte C., born May 12, 1880.

FRANK WEBB.—A native of Thomaston, Knox county, Maine; born April 21, 1833, and there resided until thirteen years of age. He then went to sea and followed a sea-faring life for the next twelve years, first as cabin boy, then as sailor, and later as mate. In July, 1858, Mr. Webb, then being twenty-five years of age, concluded to come to California, and took passage on board the sailing ship *Wandering Jew via* Cape Horn, arriving in San Francisco in December of the same year. On landing in this State, he came direct to Contra Costa county, and in the Fall of 1859 located on his present ranch of ninety acres, situated inside the town limits of Walnut Creek, where he is now engaged in farming, enjoying the confidence and esteem of the entire community in which he lives. Our subject was united in marriage in Sacramento, December 26, 1864, to Phœbe Marsh Dickinson, a native of Massachusetts, by which union they have six children living; their names are: Frederick D., born November 17, 1866; Frank R., born January 2, 1868; Thomas S. and Annie A. (twins) born March 21, 1873; Abbie, born March 25, 1875, and George B., born March 29, 1878.

WILLIAM E. WHITNEY.—Was born at Thomaston, Knox county, Maine, January 28, 1822. At fifteen years of age he went to sea, which he followed for two years, and then returned to his native place. He then served an apprenticeship to the trade of blacksmith, and continued at that business, as well as farming and burning lime, until 1849, when, in October of that year he took passage on board the bark *Midas*, Captain Jordan, for San Francisco, *via* Cape Horn, and arrived March 14, 1850,

after a voyage of one hundred and sixty-five days. Mr. Whitney remained in San Francisco one year, during which time he was engaged in grading, getting out ballast and teaming. He then came to this county, locating at the foot of Mount Diablo, on the Pacheco grant, where he erected four kilns for burning lime. This gentleman claims to be the pioneer lime-burner of this State, and shipped the first lime sold in San Francisco, Sacramento and Stockton. He met with success in this undertaking, and after a period of seven months sold out and returned to the East, remaining there about eight years. In 1860 he returned to California, and engaged in buying and hauling grain with ox-teams from Alamo and Danville to Antioch and the coal mines. In 1864 he put the first break-up plow that was ever put on Sherman Island for McKeney and Crosby. In 1865 he engaged in hauling coal and timber on the Pittsburg road, and took a prominent part in building the railroads from Pittsburg to Somersville mines, and from Black Diamond to Nortonville in the following year, Mr. Whitney having done the greater part of the grading. In November, 1868, his family arrived from Thomaston, and in 1870 he bought a portion of the San Miguel Rancho, and leased the adjoining lime-rock. He built a limekiln and burned lime in what is called an old-fashioned kiln. In 1872 he built a patent limekiln on Pacheco creek, and burned in that kiln one hundred and seventy barrels every twenty-four hours. After a time he sold out, and was employed in getting out sand for Taylor and Bennett and a firm of the name of Newman, to make glass. The lead of sand he discovered on his lime-rock ranch. Mr. Whitney was married in Maine, to Miss Sophia Fales, a native of Thomaston, Maine. By this union there were born eight children, three of whom are living. Their names are: William J., Mary, and Alice. The second son died in Star City, Nevada, October 24, 1864, aged nineteen years and ten months; the fourth son died in Concord, Contra Costa county, in 1871, aged eighteen years, eight months and ten days; the other three died in Thomaston, Maine.

CHARLES N. WIGHT. — The subject of this sketch is a native of Johnsonsburgh, Wyoming county, New York, and was born August 5, 1833. At an early age he attended the common schools, and resided at his birthplace until thirteen years old, when he went with his brother, R. H., on a visit to his brother-in-law in Delaware county, Iowa, when Mr. Wight again attended school, at Cascade, same State. There he remained one year, and afterwards passed two years with his sister in Delaware county. In the Fall of 1849 he returned to his birthplace, there attending school for three months, and then turned his attention to farming and dairying for eight months, and then going to school for three months more. He then went to Genesee and Wyoming seminary

Alexandria, Genesee county, New York, for two terms, ending January 5, 1852, when he started with his brother, Randolph, *via* Panama, for the Pacific Coast, arriving in San Francisco February 26th of the same year. He immediately, on arrival, proceeded to the mines on Trinity river, worked in the mines for a short time, and then went to Georgetown, El Dorado county, where he engaged in mining until the Spring of 1853, when he went to Contra Costa county and took up Government land in Township Number Three, four miles from New York Landing. Mr. Wight's farm consists of seven hundred acres, half of which is under cultivation and the remainder pasture land. Married, in Green valley, Contra Costa county, January 13, 1870, Miss Sarah E. Huntington, a native of Maine. By this union there are five children: Nellie C., Martha L., Charles H., Walter W. and Albert R.

RANDOLPH H. WIGHT.—This most worthy and respected pioneer of Contra Costa is a native of Wyoming county, New York, and was born August 18, 1827. Until the time of his attaining the age of nineteen years, he worked on a farm in his native place; at that epoch, however, he emigrated to Delaware county, Iowa, and in the following Spring, 1847, joined a train of three wagons then proceeding to the farthest limits of civilization, among the pines of Oregon. Crossing the Missouri river, near Savannah, the intrepid band of argonauts debouched upon the boundless waste, and, after eight long months of incessant travel, arrived at Corvallis, Oregon, where our subject halted and settled. In February, 1848, he proceeded down the Willamet river, in "dug-out" boats, porting at the falls at Oregon City, thence down the Columbia river to its mouth, there settling on the Clatsup plains on the sea coast; remained there until October of the same year, then sailed on the English schooner *Sterling* to San Francisco; waited there two weeks for an opportunity to sail to Sacramento; finally sailed on Captain Sutter's little launch, manned by Indians; there were about twenty passengers, among them the noted James King of William; had a seven days' voyage, and arrived at Sutter's Fort, two miles from Sacramento; the latter place was then without a building, and called Embarcadero. In the month of September, 1848, the startling intelligence of the discovery of gold in California was wafted to the neighboring Territories, and amid its almost ungovernable excitements, Mr. Wight was one of the first to start southward in search of the precious metal. Arriving at Sacramento, he proceeded to the mines in the vicinity of the poetic Hangtown (Placerville), where he remained nine months. New Year's Day, 1849, saw him with his back to the mines and his face towards San Francisco, whence, two months later, he took passage in a steamer to Panama to revisit the scenes of his youth at the East. There our subject continued

until 1852. In that year, accompanied by his brother Charles N., he once more made the journey to the Pacific Coast, and on arrival in California, proceeded to Shasta county, where they mined for about three months near Trinity river. From this place, Mr. Wight removed to Georgetown, El Dorado county, in June, 1852, but, after six months' mining there, concluded to try the experiment of farming, for which he selected Contra Costa, having first visited it in March, 1852. In the month of November, of the same year, he settled in the New York valley, on the land now occupied by his brother, and there they continued to live together until 1857, when our subject paid another visit to the Eastern States, joined the noble army of Benedicts, and came back to California in February, 1858. He then settled upon his present estate, which now comprises six hundred and ninety acres, where substantial improvements have been, and still are the order of the day. Mr. Wight was a member of the Board of Supervisors of Contra Costa county, from the year 1868 to 1872, during which time he gave eminent satisfaction to the entire community. He married, in Wyoming county, New York, January 28, 1858, Miss Orfa Durfee, a native of New York, and has two children: Sarah E. (now Mrs. S. M. Laselle), and Mary L.

HENRY WILKENING.—The subject of this sketch, whose portrait appears in this work, was born in the Kingdom of Hanover, November 28, 1835, where he resided until the age of sixteen, when he sailed for Bremen, July 4, 1852, for the United States, arriving in New York August 20th. There he found employment in a grocery store, where he remained two years. In July, 1854, he sailed from New York in the *North Star*, by the Nicaragua route, for California, and on the *Cortez*, on the Pacific side, arriving at San Francisco in the early part of August. Remaining there a few days, he proceeded to the mines on the Yuba river, working at different camps until 1864. From there Mr. Wilkening went to Antioch, Contra Costa county, and there resided six months, when he returned to New York with the intention of remaining, but at the end of twelve months he again started to visit the Pacific Coast, this time coming *via* Panama, arriving July, 1865. He went, on arrival, to Placer county, and from there to Franklin Hill, Plumas county, where he followed mining for the space of seven years. In July, 1874, he again visited Contra Costa county, and conducted the "Red House," near the present site of Byron. In 1877 he purchased his present property, on which now stands the town of Byron. In 1878, he erected his present commodious hotel—the Byron Hotel, of which he is at present the affable and obliging host. Besides owning the hotel, he has a saloon and livery-stable at Byron. Married in San Francisco, October 14, 1876, Annie Percy, a native of

Somersetshire, England. By this union there is one son, Byron H., born February 3, 1880.

DAVID P. WILLIAMS.—Born in Wales, May 12, 1830, where he resided until twenty years of age, and then emigrated to the United States, arriving in New York in June, 1851; residing there for two years, he proceeded west to Racine, Wisconsin, where he labored at different occupations for the following nine years. In November, 1861, our subject came *via* New York and Panama to California, arriving in San Francisco December 14th of the same year, first finding employment on a ranch near Haywards, Alameda county, where he remained for two years. He then leased land in the same county for two years, and in the Spring of 1866, came to Contra Costa county, leasing land on the Dougherty ranch, for nine years. In August, 1875, he purchased his present farm of two hundred and eighty acres, located in the Tassajara valley, where he is now engaged in general farming. Mr. Williams was united in marriage in San Francisco to Miss Jane Pugh, a native of Wales; by this union they have four children: Richard D., born July 11, 1864; Lizzie J., born October 15, 1866; William, born June 19, 1868, and Edward, born June 14, 1870.

FRANCIS WILLIAMS.—The subject of our sketch was born in the southern part of Denmark, May 9, 1829, where he resided until the age of seventeen, being educated and learning the trade of ship carpenter. In May, 1846, he sailed from Hamburg for New York, and on arrival had charge of the work on the vessels in port. Concluding to remain in the United States, he followed his trade at New Orleans, and in the Summer made trips to various parts of Europe as carpenter of American ships. In the Fall of 1850, he sailed on board a vessel, still following his trade, *via* Cape Horn for San Francisco, arriving in March of the following year. There he remained for a few months, and then went to the mines for one year. In the Summer of 1852 he went to Solano county, and engaged in farming and stock-raising until 1856, when he, in partnership with George A. Gillespie, built a store at Silveyville, and carried on business in general merchandise for four years. In 1861, he sold his interest in the store, was appointed Deputy Assessor of Solano county, and removed to Vacaville, where he carried on business until 1864. In March of that year he came to Contra Costa county, and located in the town of Antioch, where he resided until he came to Martinez, which occurred in March, 1878. In April, 1876, Mr. Williams was appointed by Governor Irwin, one of the three Commissioners of the "West Side Irrigation District," by act of the Legislature, to survey and locate a canal for irrigation and transportation, from Tulare Lake to

Antioch, which position he held until June, 1877, when the labors of the Commission were completed. In March, 1878, he was appointed Under Sheriff of the county of Contra Costa, which office he now holds. Married in Vacaville, October, 1862, Mrs. Elizabeth J. Emmons, a native of Texas. The family consists of five children and two step-sons. Their names are: Josephine E., Franklin H., Frederick, Granville L., Asilie and Elias J. and W. H. Emmons, step-sons.

JESSE H. WILLIAMS.—Born in Franklin county, Virginia, May 13, 1815, where he was educated and resided until he attained the age of twenty-four years; he then moved to Clay county, Missouri, and there worked at the carpenters' trade four years; he afterwards lived for six years in Platte county. In the month of April, 1850, he crossed the plains, with ox-teams, to California, and arrived at classic Hangtown (now Placerville) in September of that year. Here he engaged in mining until 1852, when he returned to Missouri. In the Spring of 1854 we find Mr. Williams once more bound for the Golden State, accompanied by his wife and five children. Coming direct to Contra Costa county, he settled in Moraga valley, in the month of November, 1854, where he has since resided on his farm of one hundred and sixty acres. Married, in Platte county, Missouri, December 24, 1844, Mary A. Netherton, a native of Tennessee, by whom he has had ten children, only three surviving, viz.: Emily J. (now Mrs. Hunsaker), James H. and Albert D.

JOSIAH WILLS.—This much respected and prosperous farmer of Township Number Five, was born in Muhlenburgh county, Kentucky, January 10, 1825. When but two years of age his parents went to Morgan county, Illinois, where they sojourned but a short time, then moved to Macoupin county, and there resided until 1864. Mr. Wills then spent a short period in Iowa, and, returning to Illinois, finally settled in Burton county, and engaged in the drug business, which he followed for three years. He then engaged in a saw and grist mill enterprise for two years. In April, 1871, Mr. Wills started with his family, *via* the overland railroad, to find a home in the fertile valleys of California, and on arrival in this State selected Contra Costa county for his future residence, where he purchased his present valuable farm, in Lone Tree valley, consisting of three hundred and twenty acres, two miles north of Brentwood, and engaged in farming and stock-raising. Mr. Wills has been twice married; first in Macoupin county, Illinois, September 15, 1844, to Miss Levina C. Lamarr, a native of Tennessee. She died August 24, 1863. By this union they had seven children: Elvira, Andrew J., Esther E., Louisa P., George W., Elijah and Susan (now deceased). Married secondly Mrs. Adaline Fields, a native of Arkansas. They have no children.

T. N. WILLS.—The subject of this sketch, whose portrait appears in this work, is a native of Muhlenburg county, Kentucky; was born April 22, 1822. When five years of age his parents moved to Illinois, where our subject was educated, his occupation being that of farming. April 13, 1863, Mr. Wills, accompanied by his wife and six children, in company with a train of twenty-two wagons, started for the Golden State. After a tiresome journey of five months across the plains, including the loss of a daughter, who was buried at Independence Rock, they arrived in Sacramento. Staying there but a few days, he proceeded to Napa county, where he was engaged in farming till the Fall of 1868, when he removed to this county and purchased his present valuable property of two hundred and eighty acres, adjoining the town of Antioch. He is still engaged in farming, honored and respected by the community in which he resides. Mr. Wills was thrice married; first in Illinois, to Miss Mary Wristen, a native of Kentucky. By this union there were five children, three of whom are living: Melvina, Sylvester and Oliver. His second marriage, to Mrs. Amanda Byer, a native of Kentucky, also occured in Illinois. By this union there were nine children, of which five are living: Alice, Annie, Jennie, Amarilla and Ida. The third marriage, to Miss Almina Saddlemire, a native of New York, was in San Francisco. By this union they have two living children: Clarence and Emma.

JOHN M. WILSON.—The subject of this sketch, a young and prominent merchant of Walnut Creek, is the son of Isaac M. and Sarah J. (McConnell) Wilson, and a native of the Sunny South, born in Washington county, Virginia, February 10, 1852. When two years old, his parents moved west, locating in Cedar county, Missouri, where they resided but one year. Owing to the ill-health of his father, the family returned to Virginia, where they sojourned only a short time, and again returned to Missouri, where they remained for two years. In the meantime, his father died, and in the Fall of 1859, his younger brother also died. In the following Spring, with his mother and one brother, Mr. Wilson returned to his birthplace, and there, during the war, received his education. At the close of the war they again returned to Missouri, and fortunately, found their old homestead had escaped the devastation of both armies. Here he resided until 1870. In that year, our subject was called upon to mourn the loss of his mother. He now left the farm and found employment in a mercantile establishment in Humansville, a position he held for three years. He next engaged in business for himself in the same town, which he followed for two years. April 5, 1875, found Mr. Wilson on board a train bound for the Pacific Coast. He first located in Sacramento, where he found employment as a traveling salesman for a commercial house of that city, in which position he remained six

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months, and then came to Contra Costa county, and first located in Antioch, but moved to Walnut Creek, where he worked in the employ of M. M. Shuey, for a short time, afterwards with Mr. Sherburne, until the latter's store was destroyed by fire, in 1878. He then engaged in business in company with Mr. McConnell, in the mercantile trade for two years, when our subject severed his connection with Mr. McConnell, and in 1880, bought the store he now occupies from M. M. Shuey. Mr. Wilson is now Secretary of the Agricultural Association of Contra Costa county, and a Notary Public of Walnut Creek; also, District Deputy of the Grand Lodge of the A. O. U. W. of this county. Married in Humansville, Missouri, September 29, 1870, Miss Mary J. Human, a native of the above place. By this union they have four daughters and one son. Their names are: Maria R., Ava B., Gracie L., Carl L. and Stella V.

MICHAEL WINSLOW.—The subject of this sketch is a native of Ireland, and was born December 6, 1821. When but five years of age his parents emigrated to America, first settling in Wilmington, Delaware, where he was educated at the common schools, and resided until his coming to California, learning in his youth the trade of boilermaker, which he followed for thirty years, part of the time in Delaware, and the balance on this coast. November 11, 1851, Mr. Winslow sailed with his wife and two children for the Golden State, coming *via* Panama, arrived in San Francisco December 14, 1851, where he found employment at his trade, and resided in the metropolis until September, 1869, when he moved to Contra Costa county, purchased his present valuable farm of two hundred and forty acres, four miles southeast of Martinez, now known as the Sunny-side Farm, and is engaged in general farming and fruit raising. Mr. Winslow was married in Wilmington, Delaware, June 15, 1847, to Miss Hannah Sherry, a native of that State. They have had seven children by this union; four are now deceased: Victoria (deceased), Edward J., Hannah (deceased), James S., Adelaide (deceased), Lucy H., and Sarah (deceased).

THOMAS Z. WITTEN.—Was born in Tazewell county, Virginia, February 20, 1816, and resided in his birthplace until twenty-two years of age. He then started West, located in Mercer county, Missouri, and there engaged in farming and stock-raising until 1849, when, with his family and ox-teams, he started to cross the plains to the Golden State, the only companions being his brother-in-law, Josiah Evans, and his family. September 21st they arrived in Placerville, where our subject engaged in mining until 1851, when he moved to Calaveras county, and there continued mining for one year. He now moved to near Marysville and engaged in the stock business for a short time; then he moved his stock

to Santa Clara valley, where he resided until 1856, in which year he came to Contra Costa county, purchased his present farm of one hundred and forty-five acres, two miles from Pacheco, and is now recognized as one of the oldest as well as most respected citizens of the beautiful Ygnacio valley. Married, in Mercer county, Missouri, Rachael Smith, a native of Ohio, who died December 13, 1872. His family consists of: John W. (deceased), Eleanor, Samuel (deceased), Thomas L., Milton, Aaron S. and Charles L.

LEWIS CASS WITTENMYER.—The subject of this biographical sketch, whose portrait will be found appropriately placed in the History of Contra Costa county, is the son of John and Lydia (Darr) Wittenmyer, who were of German extraction, and was born at Salsbury, Indiana, June 15, 1828. Being a surveyer by profession, Mr. Wittenmyer's father found himself at a very early date in the western wilderness of Northern Indiana and the Territory of Michigan, and about the year 1826, was commissioned by Governor Lewis Cass to effect some important surveys on the eastern shore of Lake Michigan. In this duty he was accompanied during that Summer by the afterwards distinguished statesman himself, from which an intercourse that ripened into friendship sprung, and resulted in the perpetuation of the name found in that of our subject. Mr. Wittenmyer, Senior, died in August, 1848. His wife was born at Darrtown, Butler county, Ohio, which took its name from her father, Jacob Darr, one of the first white settlers in that part of the county. When but two years old the subject of this present narrative was taken by his parents from Indiana to the village of St. Joseph, at the mouth of the St. Joseph river, on the southeastern shore of Lake Michigan, whither they had moved with their four children, the last fifty miles of their journey thither being made down that beautiful river in a large canoe or dug-out, called a "pirvuge." Here, fanned by the invigorating breezes of Summer, and pelted by the rude and chilling storms of Winter, did Mr. Wittenmyer pass through the various phases of life, until he attained to man's estate. About this epoch, the mighty shibboleth of Gold had been wafted from the Pacific shores to every habitable portion of the known world. Young and old alike awoke to the cry, and made their way to the land which was to enrich them at one bound. Among the many to early fit out for California was our subject. In February, 1849, having as comrades five other of his fellow-townsmen, viz: A. P. Pinney (deceased), A. M. Church, James M. Morton (deceased), and S. and L. B. Huff—all like himself, barely twenty-one years of age—Mr. Wittenmyer crossed the plains with mule-teams, and arrived at Bear river, near Steep Hollow, August 10, 1849. During the Fall of that year he was somewhat successful in his mining operations on Bear river, Deer creek and

Goodyear's Bar, while the Winter months he passed in the southern mines near Drytown, Amador county. His search for the "yellow stuff" he continued until the Fall of 1850, when he abandoned it and went to Mission San José, the following year being engaged in farming land owned by Henry C. Smith. In the Fall of 1851 he transferred his residence to San Lorenzo creek, then a part of Contra Costa county, where he "took up" one hundred and sixty acres of land in what was then called Squatterville. Here he farmed successfully until the Fall of the following year, when he determined to revisit his old home at the East. He sailed from San Francisco for this purpose in the steamer *Golden Gate*, November 16, 1852. In the Summer of 1853, in partnership with one of the companions with whom he crossed the plains in '49—S. Huff, of San Leandro, Alameda county—Mr. Wittenmyer returned to California, bringing with him, on joint account for profit, a large band of cattle and horses. In the month of October, of that year, he settled in Sycamore valley, Contra Costa county, where he dwelt until October, 1857, when he removed to Martinez, where he has since resided.

In 1852, he was elected Justice of the Peace at Squatterville, San Antonio township; and, in 1856, was appointed to the like office for San Ramon. In 1857, he was elected to the office of County Clerk, the functions of which he performed six consecutive years. In 1863, he, as executor of the last will and testament of Samuel Russell, deceased, took charge of the Russell estate, and, in April, 1864, he proceeded to Mexico with a view to engaging in the cotton trade, but this not meeting his expectations he returned to California, and in the Spring of 1866 paid a visit to Montana Territory, but returned in the Fall of the same year. In 1867 he was again elected County Clerk, and served two years, when he was succeeded by A. J. Markley, who, dying, Mr. Wittenmyer was appointed, May 2, 1870, by the Board of Supervisors, to the position. He now served until March, 1872, when he was succeeded by George J. Bennett. In 1873, the offices of County Clerk and Recorder having been segregated, Mr. Wittenmyer was once more called upon by the voice of the people to assume his old functions, which he has performed ever since, thus making a service in the difficult office of County Clerk of nineteen years. From his long connection with the offices of County Clerk and County Recorder, we are right in saying that his familiarity with their working is unparalleled in any public department. He is, indeed, a safe index to documents of every kind that appertain to the archives—it is no wonderful act for him to turn to book and page of the records, of many years back, without extraneous reference, while no one asks for advice or information without receiving a cheerful assistance in every particular; besides his knowledge of law, to the practice of which he was admitted before the District Court in April, 1864, he always gives

the questioner the advantage of a legal opinion. On his retirement from the offices of County Clerk and Recorder in 1864, his official associates presented him with the following Preamble and Resolutions, which speak for themselves:—

"WHEREAS, The official acts of L. C. Wittenmyer have ever been marked with energy, promptness and ability, during several successive terms of office, and WHEREAS, He has merited and won the just regard and esteem of all those who have had business relations with him, and in an eminent degree, of the undersigned, who have been necessarily intimately connected with him in his official capacity, and WHEREAS, That relationship has been severed by his recent retirement from office, therefore—*Resolved*, That, as a mark of our appreciation of the integrity, ability, and affability that have ever characterized his official acts, and in consideration of his noble, magnanimous and generous nature as a citizen, we extend to him our thanks and a sincere desire that success may attend all his undertakings in life. *Resolved*, That these resolutions be presented to the said L. C. Wittenmyer, Esq." This document was signed by "H. Classen, Thomas A. Brown, H. Mills, John J. McEwen, Mark Shepard, G. A. Swain, M. S. Chase, Horace Allen and O. F. Alley."

In the Fall of 1873, Mr. Wittenmyer paid a second visit to the Eastern States, but soon returned to California. He married, firstly, in San Ramon valley, September 20, 1850, Helen M., eldest daughter of Samuel Russell, a native of New York, by whom he had three children, only one of whom survives, viz: Clara K. Married, secondly, August 28, 1872, Clara L. Austin, a native of Vermont, and has: John L., born February 1, 1875; Lucerne Austin, born January 8, 1877; Ileen Miriam, born June 19, 1879.

HON. CHARLES WOOD.—Seventh son of Elijah Wood, was born in the beautiful and classic town of Concord, Massachusetts, October 10, 1830. He traces his ancestry, on his father's side, continuously back to the first settlers of the town in 1635. His great-grandfather, Ephriam Wood, was a Judge of the Court before, and during the war of the Revolution, and his great-great-grandfather, Colonel Barrett, was in command of the American patriots at Concord on the ever memorable 19th of April, 1775. His mother's maiden name was Elizabeth Farmer, a native of Billerica, Massachusetts. Mr. Wood received only a common school education; attending school from three to six months, and working the remainder of the year upon the farm and at a trade, until, at the age of seventeen, he went to the State of Michigan and served, in a clerical capacity, nearly four years, in the Michigan Central Railroad Company. From thence, early in 1852, he emigrated to California, *via* the Nicaragua route, arriving in San Francisco in March. Believing there was a fortune awaiting him

Daniel Bloney

in the mines, he started directly for Nevada county to try his luck with "pick and pan." Not being particularly successful in that district, he packed his blankets to Sierra county, where he mined with varying success, not finding, however, and never having found to the present day in the mines, the hidden *pile*. In the Autumn of 1852, Mr. Wood, in company with his brother William, (deceased in 1861,) embarked in trade on the North Yuba river, and in the packing of a train of mules—then an important and lucrative business, as no wagon roads had been built—from the city of Marysville to the mines. While in Sierra county he was joined by his brother George, who has since resided there, been nine years one of the Supervisors of the county, and was its member of the Assembly for the term of 1881. In 1855, Mr. Wood removed to the city of Marysville, Yuba county, and engaged in mercantile pursuits on a larger scale. In April, 1857, he married at Marysville, Miss Cynthia A. Rice, a native of Syracuse, New York, sister of the late Dr. D. W. C. Rice, of Marysville and San Francisco, a leading physician and pioneer of 1849. In 1862, Mr. Wood removed with his family to Sycamore valley, Contra Costa county, where he has since continuously resided upon his farm of seven hundred acres, devoting himself exclusively to agricultural interests. He has four children: William Louis, Sarah Elizabeth, Charlotte Ellmere, and Charles Joseph. Mr. Wood served four years as a Justice of the Peace, four years as Notary Public, appointed by Governor Booth, and was a member of the Assembly for the term of 1875, '76. He was also a charter member of the Danville Grange, No. 85, Order of Patrons of Husbandry, and is at present County Lecturer for the same order. A portrait of this gentleman will be found in our work.

DAVID S. WOODRUFF. — Was born in Bergen, Genesee county, New York, May 19, 1829. When eight years of age his parents moved to and located in Brainbridge, Michigan, where he attended the common schools and afterwards, entered Olivett College, same State, from which he graduated in 1852. Immediately on the completion of his school life he embarked in teaching, which he followed until February, 1858, when he sailed from New York with his wife for the Golden State *via* Panama, arriving in San Francisco in the latter part of the above month. On landing on this coast he came direct to Contra Costa county, and located at Bay Point, where he engaged in teaching school, which he followed for a few years. His next move was to Antioch, where he opened a drug store. In 1871, Mr. Woodruff paid a visit to his old home in Michigan, and on his return located at Nortonville, there engaged in his former business of druggist until his removal to Martinez, which event occurred June 25, 1880, when he opened the drug store, at the corner of Main and Ferry streets. In 1861 Mr. Woodruff was elected County Superintendent

of Schools for two years, and held the office of Public Administrator during the following two years, and for two years more was Justice of the Peace of Nortonville. All the above offices he filled with credit to himself and satisfaction to the people. Mr. Woodruff was twice married; first, in Marshall, Michigan, in January 1854, to Miss H. Angeline Woodruff, a native of New York. She died at Antioch October 20, 1864. By this union they had three children, Otto N., Mary and Jay. His second marriage occurred in Pacheco, December 30, 1866, to Mrs. Narcissa H. Clark (daughter of Senaeca Foster, of Hamilton county, Ohio), a native of Butler county, Ohio; they have no children. Mrs. Woodruff may be considered a pioneer woman, having crossed the plains three times, twice with wagons and once by rail. The first time crossing in 1854, she drove a four-mule team most of the way, sometimes standing guard a portion of the night; arrived at Antioch September 18th of the same year (1854); camped under a live oak-tree until a tent could be erected, in which she lived for one year; then removed to Mitchell's cañon, and lived in a cave on the side of Mount Diablo. When night came on she could hear the tramp of the California lion, whose howls were anything but pleasant when nature felt need of repose.

MARTIN WOOLBART.—A native of Germany, was born January 5, 1840. When but an infant his parents emigrated to the United States, first locating in Madison county, Ohio, where he received a common school education and followed farming until the Fall of 1853; he then spent one year in the States of Michigan and Missouri, and in January, 1854, in company with several others, among whom were Mr. Fish, of Martinez, and Mr. Majors, of Ygnacio valley, came to California, arriving in Martinez November 2, 1854. The subject of this sketch first found employment on the ranch of Henry Lathrop, where he remained for one year, and then spent two years on different ranches; he then engaged in the stock business for himself, in which he continued until 1860; in that year he sold his stock and leased Captain Hazleton's place, and engaged in farming. In the Fall of 1863 he moved on to his present place, as a renter, for two years, and in 1865 bought the place one mile northeast of Martinez, overlooking the Bay of Suisun, consisting of one hundred and twenty-six acres, where he is chiefly engaged in farming. Married, in Benicia, November 10, 1863, Miss B. McGuire, a native of Ireland. They have four children, as follows: George B., William D., Bernard M. and Mary E.

WILLIAM WYATT (deceased).—Was born in Virginia, August 27, 1826. When very young his parents moved to Missouri, where he resided until 1849, when he, in company with John C. O'Brien, Francis O'Brien and

James McAllister, crossed the plains to California. He arrived at Sacramento July 29th of the same year, and there remained until October, 1853, when he went to Antioch, Contra Costa county, where he became one of its most prominent and enterprising citizens, having business relations with his brother-in-law, John C. O'Brien, up to the time of his demise, June 7, 1863. The following obituary appeared in the *Contra Costa Gazette* of June 13, 1863: "We have the painful task this week to record the death of another old resident and most estimable citizen of our county. William Wyatt, a resident of the town of Antioch, had been slightly ill for two or three days, the latter part of last week, and on Saturday night was so unwell as to send for a physician. He did not, however, at that time seem to be very dangerously sick. On Sunday morning, nevertheless, he was taken a little before noon with a congestive chill, which seemed to attack all his vital organs at one and the same time, and was so severe as to bid defiance to every remedy, and resulted in his death in the short space of five hours from the time he was first attacked; and thus suddenly and unexpectedly was this strong and healthy man, in the full maturity of his powers, called upon to bid adieu to the familiar scenes of earth. He leaves a wife and five children, besides other relatives and a large circle of friends and acquaintances, to mourn his untimely loss. He was an active, thriving, business man, possessing a manly simplicity of character and unswerving honesty and integrity. As a husband and father, as well as by the large circle of his daily associates, he was dearly loved and highly esteemed. His generosity and readiness to help forward every genuine charity were his characteristics well known to his intimate friends. He was a member of the Masonic Lodge at Martinez, and his brethren of the mystic tie turned out in large numbers from distant parts of the county to attend his burial and pay the last customary honors to their deceased friend." Mr. Wyatt was buried June 9th near the place of his residence at Antioch.

GEORGE W. YOAKUM.—The subject of this sketch was born in Ray county, Missouri, May 17, 1842. When ten years of age he, with his parents, four brothers and six sisters, started, with ox-teams, to cross the plains to the Golden State, and after a weary trip of eight months, arrived at Gold Hill, where his father engaged in the hotel business, our subject being employed as herder. In May, 1853, his parents moved to San José, where they resided but a short time; they then moved to San Antonio and engaged in the dairy business. In 1860 Mr. Yoakum located in Moraga valley and attended school in San Ramon. In 1863 he was married and returned to Alameda county and worked on his father's old homestead. We next find Mr. Yoakum, in the year following, in Contra Costa county, where he sojourned one year, then spent one year in San

Luis Obispo county, and in the Fall of 1865 he moved to Green valley, Solano county, and there engaged in farming and stock-raising. In the following Fall he moved back to Contra Costa county and spent two years in Moraga valley, then, after two years passed in the wholesale butcher business in Alameda county, he again returned to Moraga valley, and engaged in farming and stock-raising. In July, 1876, he located in Walnut Creek and engaged in his present business of wholesale and retail butcher, and has built up a large trade, enjoying the confidence and respect of the community in which he resides. Mr. Yoakum was united in marriage, in San Ramon, October 26, 1863, to Miss R. A. Johnston, a native of Missouri, by which union they have five children, as follows: Emma (now Mrs. Ed. Cribb), Nettie, Mary, George F. and Mary C.

ADDENDUM.

The following biographical sketch was received too late for insertion in its proper place:

AUGUST HEMME.—The subject of this sketch, whose portrait appears in this work, was born in Neustadt-am-Rubenbergan, Hanover, Prussia, January 10, 1833, and is the son of William Frederick and Mary Ann (Stunkel) Hemme, the former of whom died in the year 1868 and the latter in 1842. The maternal grandfather of our subject held for several years a high position in the mining interests of the government of Brunswick, he being the head of a bureau in that department. At the time of Prussia joining the German alliance against the Corsican Emperor, Napoleon, he received a Colonel's commission in the army under Blucher, and with him served until the war was brought to a close on the field of Waterloo. Surrounded by these scenes of strife it was that the mother of August Hemme first saw the light; the exigencies of war separated the young infant and her mother two weeks afterwards, and it was not until the Napoleonic star had set forever that they were reunited. The city of Brunswick now became the permanent home of the family, and here the maiden dwelt, blossomed into womanhood, and won the heart of the father of our subject. In due course of time she became the mother of three boys and a girl, all of whom received the advantages of sound education under an especial maternal supervision. At the early age of eleven years August Hemme took high honors at the high school of his native town, and here he drank first of the military ardor which infused the times wherein his mother was born. Having graduated he entered a course of preparation to fit him for entering the Military University at Hanover, a step which was postponed, however, owing to a misunderstanding having occurred between that principality and Brunswick. At this juncture an older brother, who had been for some time in the United States, commenced infusing into his letters a spirit of delight with the New World. This caused Mr. Hemme's thoughts to be turned in that direction; he therefore commenced to make preparations for a voyage across the Atlantic to America. Leaving his home associations behind, he set sail and landed in New York in 1846, where he was employed for the first three years in his brother's store. Now the discovery of gold gave a new field for his energies.

In May, 1849, he started for the golden shores of the Pacific. On arrival he entered into the occupation of mining on Feather river, and made a good beginning. He forsook the cradle and rocker, and hied himself into the prolific valleys of the State, for he felt that in their beautiful bosoms lay a lasting source of wealth. In his wanderings he came to the beautiful San Ramon valley, in Contra Costa county, and there, in 1852, he acquired, by purchase, three thousand acres of most fertile land, on which he dwelt for the next eleven years. Here he married Miss Minerva Elizabeth Ish, the daughter of a neighboring farmer, on January 20, 1856. In 1863 he associated himself with Charles Reihn, under the firm name of Reihn, Hemme & Co., in the business of assaying and the purchase of bullion and gold-dust—the firm being still one of the most prominent in San Francisco.

To speak of Mr. Hemme's charities is a work of supererogation—they are almost universal. He has given thousands towards church benefits, where others quite as able have only tendered their hundreds; his gift to the Tabernacle in San Francisco was in the vicinity of a hundred thousand dollars; other places of worship have been made wealthy by his generosity; while schools, no matter of what denomination, have felt the influence of his unstinting hand. With all this, his prosperous fields in the San Ramon valley plainly show that he has not neglected his agricultural interests; with the maturing of plans to found much-needed schools and churches in outlying districts, he finds time to attend to his duties as a farmer. Chief among his enterprises of this nature was the organizing, with Judge Thornton S. Franklin and others, under the pastoral care of Rev. Mr. Fackler, of the Central Presbyterian church, on Mission street, San Francisco. He next furnished the funds to purchase the lot on which the Tabernacle, in that city, stands, and finally aided its completion, as before mentioned. These are monuments that will never die.

His beautiful residence near Alamo is a gem of architectural beauty, surrounded on every hand with a wealth of verdure. A splendid fruit-orchard, luxuriant grape-vines, umbrageous oaks, emerald fields and pasture-clad hills, all tend to fill in a picture of surpassing loveliness. Here Mr. Hemme is wont to take his rest when released from the whirl of business. Here does he follow the injunction of a favorite poet, which is to him an ever-present guide and comforter:

> "This, above all: To thine own self be true;
> And it must follow, as the night the day,
> Thou canst not then be false to any man."

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